

NEWHALL RANCH SCOPING MEETING

NEWHALL MIDDLE SCHOOL  
28900 HILLCREST PARKWAY  
NEWHALL, CALIFORNIA

WEDNESDAY, AUGUST 24, 2005

REPORTED BY:  
KARYN ABBOTT & ASSOCIATES  
BY: KATHLEEN KENDALL

1 APPEARANCES:  
2 AARON ALLEN  
3 PROJECT MANAGER  
4 U.S. ARMY CORPS OF ENGINEERS  
5  
6 JOHN DAVIDSON  
7 DEPARTMENT OF FISH AND GAME  
8  
9 CONNIE FARMER  
10 U.R.S. CORPORATION  
11  
12 MATT CARPENTER  
13 NEWHALL LAND  
14  
15  
16 COMMUNITY MEMBERS/SPEAKERS:  
17 LYNNE SNEAD  
18 KRIS OHLENKAMP  
19 ILEENE ANDERSON  
20 RON BOTTORFF  
21 KATHRINE SQUIRES  
22 TED MOORE  
23 PATTI WALKER  
24 BARBARA WAMPOLE  
25 LYNNE PLAMBECK  
TERESA SAVAIIKIE  
LISA FIMIANI



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1 NEWHALL, CALIFORNIA, WEDNESDAY, AUGUST 24, 2005

2 6:30 P.M.

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5 MR. ALLEN: ON BEHALF OF THE CALIFORNIA  
6 DEPARTMENT OF FISH AND GAME, AND THE ARMY CORPS OF  
7 ENGINEERS, I WOULD LIKE TO WELCOME YOU TO THE NEWHALL  
8 RANCH SCOPING MEETING.

9 MY NAME IS AARON ALLEN. I'M THE PROJECT  
10 MANAGER FOR THE U.S. ARMY CORPS OF ENGINEERS.

11 MR. JOHN DAVIDSON WILL BE REPRESENTING  
12 THE DEPARTMENT OF FISH AND GAME TONIGHT. WE ARE THE  
13 TWO LEAD AGENCIES.

14 OF COURSE, THE U.S. ARMY CORPS OF  
15 ENGINEERS HAS RESPONSIBILITY UNDER THE NATIONAL  
16 ENVIRONMENTAL POLICY ACT, AND SECTION 404 OF THE CLEAN  
17 WATER ACT.

18 AND THE CALIFORNIA DEPARTMENT OF FISH  
19 AND GAME HAS RESPONSIBILITY UNDER THE CALIFORNIA  
20 ENVIRONMENTAL QUALITY ACT, AS WELL AS SECTION 1600 OF  
21 THE FISH AND GAME CODE, AND THE CALIFORNIA ENDANGERED  
22 SPECIES ACT.

23 AS PART OF THE SECTION 404 PROCESS, THE  
24 U.S. ARMY CORPS OF ENGINEERS HAS THE RESPONSIBILITY FOR  
25 EVALUATING THE DIRECT, INDIRECT, AND CUMULATIVE EFFECT

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1 OF THE PROPOSED ACTIVITIES ON WATERS OF THE UNITED  
2 STATES.

3 WE ARE ALSO GOING TO BE LOOKING AT  
4 NUMEROUS ALTERNATIVES TO THE PROPOSED PROJECT DESIGN,  
5 AS WELL AS WE HAVE RESPONSIBILITY FOR COMPLYING WITH  
6 OTHER FEDERAL LAWS, SUCH AS THE ENDANGERED SPECIES ACT  
7 AND SECTION 106 OF THE HISTORIC PRESERVATION ACT.

8 WE ALSO ARE GOING TO BE DEVELOPING A  
9 REORGANIZATION MEASURE AS PART OF THE E.I.S., AS WELL  
10 AS THE 404B1 ALTERNATIVES ANALYSIS, TO LOOK AT WAYS TO  
11 REDUCE IMPACT ON THE WATERS OF THE UNITED STATES.

12 UNDER THE 404B1 GUIDELINES, WHICH IS THE  
13 PRINCIPLE COMPONENT OF THE SECTION 404 OF THE CLEAN  
14 WATER ACT, THE CORPS OF ENGINEERS CAN ONLY ISSUE A  
15 PERMIT FOR THE LEAST ENVIRONMENTALLY DAMAGING  
16 PRACTICABLE ALTERNATIVE.

17 WE ALSO HAVE A RESPONSIBILITY, UNDER THE  
18 PUBLIC INTEREST COMPONENT. WE'RE NOT ALLOWED TO ISSUE  
19 A PERMIT THAT IS CONTRARY TO THE PUBLIC INTEREST. AND,  
20 AS I MENTIONED BEFORE, WE ALSO HAVE TO COMPLY WITH ALL  
21 PHYSICAL FEDERAL LAWS; SUCH AS, THE ENDANGERED SPECIES  
22 ACT, AS WELL AS SECTION 106 OF THE HISTORICAL  
23 PRESERVATION ACT.

24 NOW, FOR THE IMPORTANT PART. WHAT ARE  
25 WE HERE FOR TONIGHT? AS PART OF THE SCOPING PROCESS,

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1 WE ARE LOOKING FOR INPUT FROM THE PUBLIC ON WHAT  
2 FACTORS SHOULD BE EXAMINED IN DETAIL AS PART OF THE  
3 DRAFT D.I.S./D.I.R. FOR THE NEWHALL RANCH PACIFIC PLAN.

4 THE INPUT WE ARE LOOKING FOR TONIGHT,  
5 ALTERNATIVES WE SHOULD CONSIDER TO THE PROPOSED  
6 PROJECT, ALTERNATIVE WAYS OF DOING BANK STABILIZATION  
7 ON ROAD CROSSINGS, FLOOD CONTROL FACILITIES. THOSE ARE  
8 ALL OF THE TYPES OF INFORMATION THAT WE ARE LOOKING  
9 FOR.

10 ANY SENSITIVE RESOURCES THAT YOU THINK  
11 NEED TO BE EMPHASIZED AS PART OF THE DOCUMENT, ANY  
12 IMPACT IN PARTICULAR THAT YOU THINK SHOULD BE  
13 EMPHASIZED AS PART OF THE DRAFT D.I.S./D.I.R., THAT'S  
14 WHAT THIS HEARING PROCESS IS FOR.

15 OTHER FACTORS THAT YOU MIGHT WANT TO  
16 CONSIDER ARE PUBLIC INTEREST ISSUES; MAY BE, AIR  
17 QUALITY, TRAFFIC, THAT NEED TO BE EMPHASIZED AS PART OF  
18 THE DOCUMENT.

19 ONE THING I WANT TO EMPHASIZE IS THAT AS  
20 PART OF THE SCOPING PROCESS, THE CORPS OF FISH AND GAME  
21 ARE GOING TO CAREFULLY CONSIDER ALL COMMENTS THAT WE  
22 GET TONIGHT. WE WILL INCORPORATE THEM AS PART OF THE  
23 SCOPE OF ANALYSIS FOR THIS ENVIRONMENTAL DOCUMENT.

24 WE WILL BE USING THIS INFORMATION TO  
25 DEVELOP THE SCOPE FOR THE DOCUMENT. ONE THING YOU

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1 SHOULD BE AWARE OF IS THAT ALL OF THIS INFORMATION IS  
2 GOING TO BE PART OF THE PUBLIC RECORD.

3 ALSO, WHEN THE DRAFT D.I.S./D.I.R. COMES  
4 OUT WITH THIS DOCUMENT, THERE WILL BE ANOTHER 60-DAY  
5 COMMENT PERIOD, SO THIS ISN'T YOUR ONLY CHANCE TO  
6 COMMENT ON THE PROJECT.

7 WE WILL ALSO BE HOLDING ANOTHER PUBLIC  
8 HEARING DURING THE COMMENT PERIOD FOR THE DRAFT  
9 D.I.S./D.I.R., SO THIS ISN'T YOUR ONLY CHANCE TO GIVE  
10 PUBLIC TESTIMONY ON THIS PROJECT.

11 THIS IS THE FIRST STEP IN THE DRAFT  
12 D.I.S./D.I.R., SO THERE WILL BE ANOTHER OPPORTUNITY TO  
13 TALK ABOUT THE ACTUAL ANALYSIS CONTAINED IN THE  
14 DOCUMENT.

15 THE WAY THIS MEETING IS GOING TO RUN IS  
16 IF YOU WISH TO GIVE TESTIMONY TO THE CORPS OF  
17 ENGINEERS, YOU NEED TO FILL OUT A SPEAKER CARD, AND YOU  
18 CAN GET THAT AT THE BACK TABLE. MAKE SURE YOU HAND  
19 THAT SPEAKER CARD TO MYSELF OR ONE OF THE OTHER CORPS  
20 REPRESENTATIVES.

21 JAY IS IN A BLUE SHIRT BEHIND THE BACK  
22 TABLE. HE WILL MAKE SURE THAT I GET, SO THAT YOU GET A  
23 CHANCE TO GIVE PUBLIC TESTIMONY.

24 SO FAR I ONLY HAVE ABOUT EIGHT SHEETS,  
25 SO I THINK WE CAN GIVE PEOPLE FIVE MINUTES TO SPEAK

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1 TONIGHT. SO YOU WILL HAVE MORE TIME TO PROVIDE  
2 COMMENTS IF YOU WISH TO USE IT. I WOULD ASK THAT YOU  
3 DO KEEP YOUR COMMENTS TO FIVE MINUTES TO MAKE SURE THAT  
4 EVERYBODY GETS A CHANCE TO TALK AND WE DON'T END UP  
5 SAYING THE SAME THING MORE THAN ONCE.

6 ALSO THE WAY I'M GOING TO RUN THINGS, I  
7 WOULD LIKE TO ANNOUNCE THE PERSON WHO IS GOING TO  
8 SPEAK, AND THEN THE PERSON THAT IS ON DECK. THAT WAY I  
9 DON'T CALL YOU AND IT'S A COMPLETE SURPRISE. YOU HAVE  
10 SOME TIME TO COLLECT YOUR THOUGHTS AND THINK ABOUT WHAT  
11 YOU WANT TO SAY.

12 WHEN I START, I WILL SAY ONE NAME AND  
13 THEN A SECOND NAME FOR THE PERSON THAT'S ON DECK. ALSO  
14 FOR THE COURT REPORTER, IF YOU COULD PLEASE STATE YOUR  
15 NAME FOR THE RECORD BEFORE YOU START YOUR COMMENTS TO  
16 MAKE SURE THAT SHE CAN GET YOUR NAME AND ATTACH THE  
17 RIGHT TO WHATEVER PUBLIC TESTIMONY YOU'RE PROVIDING.

18 WE WILL ACCEPT WRITTEN COMMENTS UNTIL  
19 SEPTEMBER 5TH. SO YOU DON'T HAVE TO PROVIDE YOUR  
20 WRITTEN COMMENTS TONIGHT. YOU DO HAVE OVER A WEEK  
21 AFTER THIS DATE TO GET PUBLIC COMMENTS TO US. THE  
22 ADDRESS TO SEND IT TO IS ON THE PUBLIC NOTICE THAT IS  
23 AVAILABLE IN THE BACK.

24 AS I MENTIONED BEFORE, EVERYTHING THAT  
25 YOU SAY HERE TONIGHT WILL BE PART OF THE PUBLIC RECORD.



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1 WE HOPE TO HAVE A TRANSCRIPT OF THIS PUBLIC HEARING  
2 AVAILABLE ON OUR WEBSITE BY OCTOBER. YOU CAN DOWNLOAD  
3 IT IN P.D.F. FORMAT.

4 AND AT THIS POINT, I THINK I'M GOING TO  
5 INTRODUCE CONNIE FARMER, WHO IS FROM THE U.R.S.  
6 CORPORATION, WHO IS GOING TO GIVE AN OVERVIEW OF THE  
7 NEWHALL RANCH PROJECT AND ESPECIALLY THE CHANGES THAT  
8 HAVE OCCURRED SINCE THE LAST SCOPING MEETING.

9 MS. FARMER: THANK YOU, AARON.

10 AS AARON SAID, MY NAME IS CONNIE FARMER.  
11 I'M WITH U.R.S. CORPORATION. WE HAVE BEEN RETAINED TO  
12 PREPARE THE E.I.S./E.I.R. THAT AARON HAS MENTIONED TO  
13 YOU.

14 WE HAVE BEEN WORKING ON THIS DOCUMENT AS  
15 A LOT OF YOU KNOW FROM OUR LAST PUBLIC SCOPING MEETING,  
16 AND IT'S BEEN AN ONGOING AND KIND OF EVOLVING PROCESS.  
17 AS A RESULT OF THAT, I JUST KIND OF WANTED TO TOUCH  
18 BRIEFLY ON OUR FIRST SCOPING MEETING WAS IN 2000, AND  
19 THEN WE MET AGAIN LAST YEAR IN FEBRUARY.

20 AND WE'RE BACK HERE TONIGHT BECAUSE WE  
21 HAVE IDENTIFIED SOME CHANGES TO THE PROJECT DESCRIPTION  
22 THAT WE FELT NEEDED TO BE BROUGHT BACK TO THE PUBLIC  
23 FOR YOUR CONSIDERATION. AND THAT IS THE PURPOSE AND  
24 THE MAIN FOCUS OF THE MEETING THIS EVENING.

25 AS AARON MENTIONED, THE ISSUANCE OF

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1 PERMITS FROM BOTH THE CORPS AND FISH AND GAME IS THE  
2 KEY DRIVING FACTOR FOR NEEDING TO PREPARE THE  
3 E.I.S./E.I.R. AND AS HE MENTIONED, IT WILL INCLUDE  
4 ALTERNATIVES THAT AVOID AND MINIMIZE IMPACTS AND  
5 PROVIDE MITIGATION MEASURES TO ALSO REDUCE IMPACTS.

6 THIS DOCUMENT WILL ALSO BE A KEY TOOL  
7 FOR THE AGENCIES IN THEIR PERMIT-ISSUING AND  
8 DECISION-MAKING PROCESS.

9 WHAT I WANT TO FOCUS ON THIS EVENING IS  
10 THE PROPOSED CHANGES TO THE PROJECT DESCRIPTION AS THEY  
11 RELATE TO THE ISSUE OF SPINEFLOWER, WHICH IS A  
12 STATED-LISTED ENDANGERED SPECIES AND A FEDERAL SPECIES  
13 OF CONCERN.

14 FISH AND GAME, AS WE HAVE WORKED THROUGH  
15 THE LAST SEVERAL MONTHS, HAS IDENTIFIED A NEED TO LOOK  
16 AT SPINEFLOWER ACROSS ALL OF NEWHALL'S HOLDINGS,  
17 INCLUDING THE SPECIFIC PLAN AREA, BUT ALSO OTHER LANDS  
18 WITHIN L.A. COUNTY THAT NEWHALL OWNS, AND COME UP WITH  
19 A MANAGEMENT APPROACH THAT ADDRESSES SPINEFLOWER IN A  
20 MORE COMPREHENSIVE WAY AS OPPOSED TO A  
21 PROJECT-BY-PROJECT APPROACH.

22 SO THAT IS REALLY THE GIST OF WHAT WE  
23 ARE HERE TO TALK ABOUT TONIGHT.

24 THE PROPOSED CHANGES INCLUDE THE  
25 PREPARATION OF A SPINEFLOWER CONSERVATION PLAN, WHICH

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1 WOULD ENCOMPASS BOTH THE SPECIFIC PLAN AREA, WHICH IS  
2 THIS BOUNDARY THAT WE ARE ALL FAMILIAR WITH, AND IT  
3 WILL ALSO INCLUDE VALENCIA COMMENCE CENTER, WHERE  
4 SPINEFLOWER HAS ALSO BEEN IDENTIFIED, AND IN PARCELS  
5 HERE WHICH ACTUALLY WRAPS AROUND MAGIC MOUNTAIN,  
6 CONCURRENTLY REFERRED TO AS THE ENTRADA PROJECT.

7 WE HAVE IDENTIFIED SPINEFLOWER IN THIS  
8 AREA AS WELL. AND SO FISH AND GAME'S DESIRED IS TO  
9 DEVELOP A COMPREHENSIVE MANAGEMENT PLAN, DEVELOP  
10 PRESERVES FOR SPINEFLOWER THAT ADDRESSES MANY ISSUES.  
11 AND WE WILL GET TO THAT IN JUST A MINUTE.

12 IN CONCERT WITH THAT, THE U.S. FISH AND  
13 WILDLIFE SERVICE AT NEWHALL RANCH OR NEWHALL LAND AND  
14 FARMING WILL ENTER INTO A CANDIDATE CONSERVATION  
15 AGREEMENT WITH ASSURANCES FOR SAN FERNANDO VALLEY  
16 SPINEFLOWER.

17 AT THE FISH AND GAME LEVEL THE OBJECTIVE  
18 IS TO ISSUE ONE 2081 PERMIT FOR SPINEFLOWER FOR ALL  
19 NEWHALL HOLDINGS. AND THEN THE CANDIDATE CONSERVATION  
20 AGREEMENT WITH ASSURANCES JUST REENFORCES THAT AT THE  
21 FEDERAL LEVEL.

22 I WANT TO TALK BRIEFLY ABOUT WHAT THE  
23 STATE ACTION IS. THE STATE ACTION IS THE ISSUANCE OF  
24 THE 2081 PERMIT FOR SPINEFLOWER, AND ALSO THE APPROVAL  
25 OF THE SPINEFLOWER CONSERVATION PLAN, WHICH HAS BEEN AN

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1 ON-GOING PROCESS. IT'S BEING PREPARED BY DUDECK  
2 (PHONETIC) AND ASSOCIATES, WHO IS WORKING VERY CLOSELY  
3 WITH FISH AND GAME STAFF AND WITH REPRESENTATIVES FROM  
4 NEWHALL TO COME TO A DOCUMENT THAT REALLY SERVES THE  
5 PURPOSE OF PRESERVING SPINEFLOWER WITHIN THE PROJECT  
6 AREA.

7 THE CONSERVATION PLAN GOAL IS TO DEVELOP  
8 A MANAGEMENT PRESERVATION FRAMEWORK THAT PROVIDES FOR  
9 THE PERSISTENCE OF SPINEFLOWER WITHIN NEWHALL LAND  
10 HOLDINGS FOR AT LEAST 50 YEARS. AND THERE ARE SEVERAL  
11 OBJECTIVES THAT NEED TO BE ACHIEVED IN ORDER TO SUCCEED  
12 WITH THAT GOAL.

13 THESE OBJECTIVES -- I WILL DESCRIBE  
14 BRIEFLY UP HERE ON THE SLIDES -- ARE TAKEN DIRECTLY  
15 FROM THE GRASS SPINEFLOWER CONSERVATION PLAN IN ITS  
16 CURRENT STATE AND IT'S STILL BEING WORKED ON BY BOTH  
17 FISH AND GAME AND DUDECK, AND WILL EVENTUALLY BE AN  
18 APPENDIX TO OUR E.I.S./E.I.R. SO IT WILL BE PART OF  
19 THE PUBLIC RECORD AND AVAILABLE FOR REVIEW WHEN THE  
20 DRAFT COMES OUT.

21 THE KEY TO IT IS THE DEVELOPMENT OF A  
22 SERIES OF PRESERVES FOR SPINEFLOWER. THAT WILL  
23 MAXIMIZE ITS LONG-TERM PERSISTENCE. THESE PRESERVES  
24 ALSO NEED TO HAVE ELEMENTS TO THEM THAT ENCOURAGE THE  
25 POLLINATORS AND THE DISPERSAL AGENTS -- THE BUGS AND

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1 BUNNIES THAT GET IN THERE AND SPREAD THOSE TEENY, TINY  
2 LITTLE SEEDS THAT ALLOW SPINEFLOWER TO CONTINUE AS WE  
3 HAVE NOW FOUND IT.

4 IN ADDITION, THE PRESERVES WILL ALSO  
5 ALLOW FOR RESTORATION OF DAMAGED AND DEGRADED HABITANT  
6 WITHIN THOSE BOUNDARIES.

7 THE ESTABLISHMENT OF SITE-SPECIFIC  
8 BUFFERS, WHICH WILL -- THE PURPOSE OF IT IS TO LIMIT  
9 THE EFFECTS OF SURROUNDING DEVELOPMENT.

10 THEN MAKE TO SURE THAT THERE IS  
11 CONNECTIVITY BETWEEN THE PRESERVES SO THAT THERE IS THE  
12 ABILITY FOR CROSS-POLLINATION AND THOSE KINDS OF  
13 ACTIVITIES TO HAPPEN.

14 AND THEN INCLUDED WITHIN THE PRESERVE  
15 CORE, OCCURRENCES MAXIMIZE GENETIC DIVERSITY AND  
16 OVERALL POPULATION SIZE WHILE CAPTURING THE RANGE OF  
17 ENVIRONMENTAL CONDITIONS WHERE THE SPECIES IS FOUND.  
18 BASICALLY THAT MEANS TO OPTIMIZE THE HABITAT. IN  
19 ADDITION, IT WILL PROVIDE OPPORTUNITIES FOR RESTORATION  
20 AND IN SOME CASES THE INTRODUCTION OF NEW OCCURRENCES.

21 THERE MAY BE A NEED TO TRANSPLANT.  
22 THERE MAY BE A NEED TO SEED BLANK. ALL OF THOSE KINDS  
23 OF THINGS WILL BE ADDRESSED IN THE CONSERVATION PLAN.

24 IN ADDITION, THE PRESERVES NEED TO BE  
25 ABLE TO FUNCTION IN A WAY THAT ALLOWS FOR FLUCTUATION,

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1 WHICH, YOU KNOW, WE ARE JUST STARTING TO LEARN ABOUT  
2 SPINEFLOWER AND WHAT ITS CHARACTERISTICS ARE AND WHAT  
3 ITS NEEDS ARE, AND DEVELOP THESE PRESERVES IN A WAY  
4 THAT ALLOWS FOR FLUCTUATION AND POLLENAZATION.

5 AN ADAPTIVE MANAGEMENT APPROACH IS FISH  
6 AND GAME'S DESIRE RIGHT NOW, IN TERMS OF DEALING WITH  
7 THE ISSUE OF HOW TO ENSURE SPINEFLOWER'S SUCCESS OVER  
8 THE NEXT 50 YEARS.

9 THIS WILL INCLUDE QUARTERLY MONITORING  
10 FOR THE NEXT 10 YEARS, ANNUAL SURVEYS FOR CENSUS  
11 COUNTS, AND THEN AN EVALUATION AFTER THOSE CENSUS  
12 COUNTS TO LOOK AT WHAT THE CHANGES ARE FROM YEAR TO  
13 YEAR.

14 THEN IN ADDITION TO THAT, IN ORDER TO  
15 FUND THIS, NEWHALL WILL BE PROVIDING MITIGATION FUNDING  
16 FOR MAINTENANCE, MANAGEMENT, AND MONITORING ON AN  
17 ONGOING BASIS. THAT IS THE STATE'S INVOLVEMENT WITH  
18 THIS CHANGE.

19 THE FEDERAL PERMIT REQUIREMENTS ARE THAT  
20 U.S. FISH AND WILDLIFE SERVICE AND NEWHALL LAND AND  
21 FARMING WILL ENTER INTO A CANDIDATE CONSERVATION  
22 AGREEMENT WITH ASSURANCES FOR SAN FERNANDO VALLEY'S  
23 SPINEFLOWER, WHICH IS NOT CURRENTLY A FEDERALLY LISTED  
24 SPECIES.

25 WHAT THIS ALLOWS THE SERVICE IN NEWHALL

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1 TO DO IS TO OPTIMIZE, AGAIN, THE SUCCESS OF SPINEFLOWER  
2 AND GET TO A POINT WHERE THERE WON'T BE A NEED TO LIST  
3 IT AS A FEDERALLY LISTED SPECIES. IT WILL BE PROLIFIC  
4 AND ABUNDANT ENOUGH THAT THAT WON'T BE NECESSARY.

5 THIS AGREEMENT WOULD BE AUTHORIZED UNDER  
6 THE PROVISIONS OF THE ENDANGERED SPECIES ACT UNDER  
7 SECTION 10.

8 THE ELEMENTS OF THE C.C.A.A. WOULD  
9 INCLUDE IMPLEMENTATION OF THE SPINEFLOWER CONSERVATION  
10 PLAN. THE POPULATION IS LOCATED ON NEWHALL LAND, WHICH  
11 INCLUDES NEWHALL RANCH, V.C.C., AND ENTRADA.

12 IN ADDITION, THE U.S. FISH AND WILDLIFE  
13 SERVICE WOULD ISSUE AN ENHANCEMENT OF SURVIVAL PERMIT  
14 UNDER SECTION 10A1A OF THE ENDANGERED SPECIES ACT.

15 IN THE EVENT THAT SPINEFLOWER IS  
16 EVENTUALLY LISTED AS AN ENDANGERED SPECIES UNDER THE  
17 FEDERAL LAW, THIS PERMIT WOULD ALLOW SOME TAKE WITHIN  
18 NEWHALL LAND HOLDINGS BASED ON THE TERMS OF THE  
19 AGREEMENT, WHICH THE CONSERVATION PLAN WILL PLAY A BIG  
20 ROLE IN DEFINING.

21 SO AS WE MOVE FORWARD IN PREPARING THE  
22 E.I.S./E.I.R., WE ARE GOING TO NOT ONLY BE LOOKING AT  
23 THE ALTERNATIVES RELATED TO THE 404 1603 PERMITS  
24 RELATED TO WATERS OF THE UNITED STATES AND STATE  
25 JURISDICTION, BUT WE ARE ALSO GOING TO BE LOOKING AT A

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1 VARIETY OF ALTERNATIVES RELATED TO SPINEFLOWER AND THE  
2 DEVELOPMENT OF THESE PRESERVES, BOTH WITHIN THE  
3 SPECIFIC PLAN AREA AND ENTRADA AND THE IMPACTS RELATED  
4 TO THE COMMERCE CENTER.

5 THOSE WILL BE ANALYZED AND PRESENTED IN  
6 THE DRAFT ENVIRONMENT IMPACT STATEMENT, ENVIRONMENT  
7 IMPACT REPORT, ALONG WITH ALL OF THE OTHER ISSUES THAT  
8 WERE ALSO EVALUATED.

9 SO WHERE DO WE GO FROM HERE? WE GO BACK  
10 AND WE'RE BUSY PREPARING THIS DOCUMENT THAT EVENTUALLY  
11 WILL BE RELEASED TO YOU FOR REVIEW IN EARLY 2006. AND  
12 AS AARON MENTIONED, AT THAT POINT, THERE WILL BE A  
13 60-DAY PUBLIC COMMENT PERIOD FOR WRITTEN COMMENTS. ALL  
14 OF THOSE COMMENTS WILL BE READ AND EVALUATED AND  
15 ADDRESSED APPROPRIATELY.

16 THEN THE FINAL WOULD BE THE ISSUANCE OF  
17 THE FINAL E.I.S./E.I.R. AND PERMIT DECISIONS FROM BOTH  
18 AGENCIES IN LATE 2003.

19 THANK YOU.

20 MR. ALLEN: I'M NOT SURE IF EVERYBODY  
21 CAN HEAR ME, BUT WE ONLY HAVE ONE MICROPHONE AND IT'S  
22 PROBABLY MUCH MORE IMPORTANT FOR THOSE THAT ARE MAKING  
23 THEIR COMMENTS TO HAVE A MICROPHONE THAN MYSELF. SO IF  
24 YOU WILL JUST BEAR WITH ME, AND IF YOU HAVE ANY  
25 PROBLEMS HEARING ME, JUST LET ME KNOW.



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1 I APOLOGIZE TO THE VERY FIRST SPEAKER  
2 BECAUSE YOU DON'T GET AS MUCH TIME TO PREPARE. LYNNE,  
3 YOU'LL BE THE FIRST PERSON.

4 ON DECK IS KRIS OHLENKAMP. FOLLOWING  
5 THE FIRST SPEAKER, YOU'LL BE SPEAKING NEXT. PLEASE  
6 DON'T FORGET TO SAY YOUR FULL NAME BEFORE YOU START  
7 YOUR COMMENTS. COME ON UP.

8 I DO HAVE A HANDY-DANDY TIMER. I'LL BE  
9 TRYING TO KEEP AN UNOFFICIAL FIVE MINUTES, BUT IF  
10 PEOPLE START GOING OVER, I'LL HAVE TO PULL THIS OUT.  
11 BUT FOR NOW, I'LL JUST DO IT BY HAND BECAUSE WE DON'T  
12 HAVE THAT MANY SPEAKERS TONIGHT.

13 THE FLOOR IS YOURS.

14 MS. SNEAD: OKAY. MY NAME IS LYNNE  
15 SNEAD; L-Y-N-N-E, S-N-E-A-D. I LIVE IN VALENCIA, AND  
16 I'VE LIVED THERE SINCE 1991.

17 I'M CONCERNED ABOUT THE BUILDING OF  
18 20,000 HOMES WEST OF THE 5. I'M CONCERNED ABOUT THE  
19 SPECIES THERE THAT ARE VERY FRAGILE: THE STICKLEBACKS  
20 AND THE ARROYO TOADS AND THE LEAST BELL'S VIREO. I'M  
21 IN THE AUDUBON SOCIETY, AND I ENJOY LOOKING AT THESE  
22 BIRDS. I JUST THINK THEY ARE A TREASURE, AND WE OUGHT  
23 TO TRY TO PRESERVE THEIR AREA WHERE THEY LIVE AND THE  
24 WATERWAYS TOO.

25 THERE IS A LOT OF OTHER SPECIES THAT WE

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1 PROBABLY DON'T EVEN KNOW ABOUT. BUT I'M OPPOSED TO,  
2 YOU KNOW, THE DESTRUCTION OF ALL OF THIS LAND. IT'S A  
3 VALUABLE RESOURCE. I DON'T LIKE THE WAY THEY PUT  
4 CONCRETE ON THE WATERWAYS HERE. AND I DON'T LIKE THE  
5 WAY THAT THEY CLEAR THEM, WHICH I HAVE SEEN THEM DO BY  
6 ORCHARD VILLAGE, JUST CUTTING DOWN EVERYTHING. AND I  
7 KNOW THERE WERE LEAST BELL'S VIREO IN THAT AREA.

8 SO WHEN YOU CLEAR THOSE THINGS AND YOU  
9 CONCRETE THEM AND YOU CLEAR THEM, YOU'VE DESTROYED  
10 THEIR ENVIRONMENT, AND YOU'VE POSSIBLY DESTROYED THE  
11 SPECIES.

12 SO I THINK WE SHOULD BE SENSITIVE TO  
13 THAT WHEN YOU'RE CONSIDERING BUILDING HOMES AND DAMMING  
14 UP THE RIVERS AND CONSTRUCTING ALL THESE NEW HOMES. I  
15 COULD SEE WHY PEOPLE WANT TO LIVE HERE BECAUSE IT'S SO  
16 BEAUTIFUL, BUT WE'RE CEMENTING IT ALL OVER.

17 I'M CONCERNED ABOUT THE WATER. I'M  
18 CONCERNED ABOUT THE SCHOOLS. I MEAN, WE BUILD HOMES  
19 AND WE DON'T BUILD SCHOOLS. I MEAN, OUR HIGH SCHOOL  
20 HERE IS I DON'T KNOW HOW OLD, AND IT HAS PORTABLE  
21 CLASSROOMS. SO I THINK WE'RE NOT PLANNING TOO WELL.

22 IT'S RIDICULOUS. I MEAN, THE AMOUNT OF  
23 PLANNING THAT GOES INTO THIS, AND WE ARE NOT THINKING  
24 AHEAD FAR ENOUGH. THANK YOU VERY MUCH.

25 MR. ALLEN: THANK YOU.

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1 KRIS OHLENKAMP IS THE NEXT SPEAKER, AND ON  
2 DECK IS ILEENE ANDERSON.

3 MR. OHLENKAMP: I'M KRIS OHLENKAMP. I'M  
4 CURRENTLY THE PRESIDENT OF THE LOCAL CHAPTER OF THE  
5 NATIONAL AUDUBON SOCIETY. OUR NUMBER ONE CONSERVATION  
6 PRIORITY IS THE PRESERVATION AND RESTORATION OF THE  
7 WILDLIFE HABITAT ALONG THE SANTA CLARA RIVER. AND NOW  
8 THAT IS RECOGNIZED NATIONALLY AS ONE OF THE TEN MOST  
9 ENDANGERED RIVERS IN THE ENTIRE COUNTRY, I THINK IT  
10 SAYS SOMETHING ABOUT HOW YOUR TWO REGULATORY AGENCIES  
11 THAT HAVE JURISDICTION OVER THIS TERRITORY HAVE BEEN  
12 ACTING IN THE PAST.

13 AND I HOPE THAT NOW UNDER THIS SPOTLIGHT  
14 OF THE ENTIRE COUNTRY HAVING A RIVER SO DESIGNATED,  
15 WILL HOPEFULLY -- I HOPE THAT IT WILL HELP YOU ACT A  
16 LITTLE MORE INTELLIGENTLY IN MANAGING THE NEWHALL LAND  
17 AND FARMING.

18 I SPENT THE ENTIRE MORNING PULLING  
19 INVASIVE WEEDS OUT OF THE SANTA MONICA MOUNTAINS. AND  
20 WHEN YOU INTRODUCE HOUSES AND BUILDINGS AND STRUCTURES  
21 IN A NATURAL HABITAT, YOU ARE GOING TO GET A LOT MORE  
22 INVASIVE SPECIES BEING INTRODUCED.

23 I WOULD LIKE TO SUGGEST THAT FOR  
24 MITIGATION FOR THE IMPACTS OF THE LOSS OF THE  
25 ENVIRONMENT THAT WILL TAKE PLACE WITH THIS DEVELOPMENT

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1 THAT NEWHALL LAND AND FARMING BE REQUIRED TO PAY INTO  
2 AN ANNUAL FUND FOR THE REMOVAL OF NONNATIVE INVASIVE  
3 SPECIES.

4 HOPEFULLY THAT FUND WOULD BE  
5 ADMINISTERED BY ONE OF YOUR AGENCIES OR, IF NOT THAT,  
6 PERHAPS THE FRIENDS OF THE SANTA CLARA RIVER OR THE  
7 CALIFORNIA PLANT SOCIETY OR EVEN THE AUDUBON SOCIETY  
8 WOULD NOT MIND OVERSEEING THAT PROJECT.

9 NUMBER TWO, I WOULD LIKE TO SEE  
10 MITIGATION FOR THE LOSS OF HABITAT IN THAT -- ALL OF  
11 NEWHALL LAND AND FARMING'S PLANTINGS. AND WHATEVER  
12 PLANTS THAT THEY PUT IN AS A PART OF THIS DEVELOPMENT  
13 PROJECT BE NATIVE SPECIES -- BE REQUIRED TO BE NATIVE  
14 SPECIES. IT'S DONE IN SEVERAL OTHER AREAS -- LAND  
15 DEVELOPMENT PROPOSALS NOW. IT'S BEEN DONE SUCCESSFULLY  
16 IN PORTER RANCH -- LARGE SECTIONS OF PORTER RANCH. AND  
17 I SEE NO REASON WHY IT CAN'T BE DONE HERE.

18 OF COURSE, IF YOU SAY THAT 100 PERCENT  
19 OF PLANTS BE MADE OF SPECIES, THEY WILL COME BACK WITH  
20 AN OFFER OF 10, AND I'M SURE YOU'LL AGREE ON 30 PERCENT  
21 OR SOMETHING LIKE THAT, BUT SOMETHING IS BETTER THAN  
22 NOTHING.

23 AND THERE IS NOTHING RIGHT NOW AS FAR AS  
24 MITIGATION FOR THE DESTRUCTION OR LOSS OF ALL THAT  
25 HABITAT. THOSE ARE THE TWO ISSUES THAT WE WOULD LIKE



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1 TO SEE ADDRESSED IN THIS ENVIRONMENTAL IMPACT REPORT.

2 I'VE BEEN GONE FOR THE LAST THREE  
3 MONTHS, SO I HAVEN'T HAD TIME TO PREPARE FOR THIS. I  
4 JUST CAME BACK LAST WEEK. WE WILL SUBMIT WRITTEN  
5 COMMENTS. THANK YOU.

6 MR. ALLEN: THANK YOU.

7 ILEENE ANDERSON.

8 THEN THE NEXT SPEAKER WILL BE RON  
9 BOTTORFF.

10 MS. ANDERSON: I'M ILEENE ANDERSON --  
11 S-O-N AT THE END -- AND MY AFFILIATION IS WITH THE  
12 CALIFORNIA NATIVE PLANT SOCIETY. AND I HAVE WRITTEN  
13 COMMENTS TO TURN IN AS WELL, BUT I'LL REITERATE THEM  
14 FOR THE RECORD NOW.

15 AT PER OUR FIRST SCOPING COMMENTS, I  
16 WANTED TO, AGAIN, REITERATE THAT WE ARE CONCERNED ABOUT  
17 WHAT YOU'RE GOING TO BE UNDERTAKING, YOUR EVALUATION,  
18 BECAUSE MANY OF THE PROPOSED FACILITIES, AS ARE LISTED  
19 ON PAGE ONE AND TWO OF THE OVERVIEW, ARE DESIGNED TO  
20 PERMANENTLY ELIMINATE PARTS OF SENSITIVE PLANT  
21 COMMUNITIES. AND I HAVE A LIST OF THOSE THAT HAVE  
22 POTENTIAL TO OCCUR OR ARE KNOWN TO OCCUR ON THE PROJECT  
23 SITE.

24 I GUESS OUR MAIN CONCERN ABOUT THAT IS  
25 CURRENTLY IN SOUTHERN CALIFORNIA, AS OF 15 YEARS AGO,

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1 WE ALREADY LOST 98 PERCENT OF OUR WETLANDS. AND WHY I  
2 BRING THIS UP AGAIN TONIGHT AT THE MEETING IS BECAUSE  
3 THE WATER QUALITY CONTROL BOARD HAD, IN THIS LAST YEAR,  
4 CONTRACTED WITH AND HAD SOME RESEARCHERS OUT OF  
5 U.C.L.A. ACTUALLY GO BACK AND LOOK AT THE SUCCESS OF  
6 WETLAND MITIGATION IN SOUTHERN CALIFORNIA. AND I HAVE  
7 THAT REPORT QUOTED HERE, SO YOU CAN REFER TO THAT.

8 AND WHAT THEY FOUND WAS THAT 96 PERCENT  
9 OF WETLAND MITIGATION SITES ARE SUBOPTIMAL TO POOR  
10 CONDITIONS. MY CONCERN IS THAT CLEARLY THE CURRENT  
11 REQUIREMENTS FOR MITIGATION AREN'T WORKING WELL.

12 SO, AGAIN, I AM REITERATING AND REQUEST  
13 THAT YOU NOT ONLY DO A COMPREHENSIVE EVALUATION OF THE  
14 IMPACT, BUT ALSO UPDATE THE MITIGATION STRATEGY WITH  
15 ENFORCEABLE TRIGGERS AND TIME LINES TO ACTUALLY ACHIEVE  
16 MITIGATION SUCCESS. BECAUSE IT'S JUST APPALLING THAT  
17 WE ARE NOT GETTING BETTER MITIGATION OUT OF ALL OF THE  
18 EFFORT THAT'S BEING PUT IN.

19 WITH REGARDS TO ALTERNATIVES, IN MY  
20 PREVIOUS COMMENTS, I DON'T THINK THAT I ACTUALLY  
21 SUBMITTED ALTERNATIVES, AND SO I WOULD LIKE TO SUGGEST  
22 A COUPLE OF ALTERNATIVES TONIGHT.

23 ONE OF THEM WOULD BE AN ALTERNATIVE THAT  
24 FOCUSES ON NOT IMPACTING ALL OF THE TRIBUTARIES AND THE  
25 MAIN STEM OF THE SANTA CLARA RIVER, AND THE SENSITIVE





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1 RIPARIAN PLANT COMMUNITIES THAT THEY SUPPORT.

2 ANOTHER ALTERNATIVE WOULD BE TO NOT  
3 IMPACT MIDDLE, POTRERO, SALT, CASTAIC, SAN MARTINEZ  
4 GRANDE TRIBUTARIES AND THOSE ADJACENT PARTS OF THE  
5 SANTA CLARA RIVER.

6 ALSO LACKING IN THE NEW OVERVIEW, I  
7 WOULD LIKE TO REQUEST A DISCUSSION ON THE LOS ANGELES  
8 SUNFLOWER, WHICH IS A SPECIES THAT IS PUNITIVELY  
9 REPORTED TO OCCUR ON THIS PROJECT SITE, YET IT FAILS TO  
10 BE MENTIONED IN THIS DOCUMENT, ANYWAY.

11 THAT'S WHAT I HAVE AS AN OVERVIEW OF THE  
12 1605 PROCESS. AND NOW I WOULD LIKE TO ADDRESS THE  
13 SPINEFLOWER CONSERVATION PLAN.

14 IT'S INFREQUENT THAT WE HAVE AN  
15 OPPORTUNITY TO CONSERVE THE SPECIES THAT WAS PREVIOUSLY  
16 THOUGHT TO BE EXTINCT AND TO GUARANTEE THAT IT WON'T GO  
17 EXTINCT IN THE FUTURE. VERY CAREFUL CRAFTING OF AN  
18 ADAPTATIVE MANAGEMENT PLAN IS NECESSARY. SO LITTLE IS  
19 KNOWN ABOUT THE SAN FERNANDO VALLEY'S SPINEFLOWER'S  
20 ECOLOGY (UNINTELLIGIBLE) -- CAN ONLY SEE A CONSERVATION  
21 PLAN -- A CONSERVATIVE CONSERVATION PLAN BEING  
22 IMPLEMENTED.

23 BASIC CONSERVATION BIOLOGY TENANTS NEED  
24 TO BE INCORPORATED AND INCLUDE -- THIS IS FROM NOSS --  
25 PRESERVATION OF THE SPECIES ACROSS ITS RANGE, LARGE

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1 BLOCKS WITH LARGE POPULATIONS, CONTINUITY OF PRESERVE  
2 AREAS, AND NOT JUST A PATCHWORK FROM HERE TO THERE, AND  
3 CAPTURING SOME OF THE CORRIDOR ISSUES THAT YOU TALKED  
4 ABOUT IN YOUR PRESENTATION.

5 CLEARLY CONTIGUOUS BLOCKS OF HABITAT ARE  
6 MUCH BETTER THAN FRAGMENTING BLOCKS. ALL OF THESE ARE  
7 BASIC CONSERVATION BIOLOGY TENANTS. CONNECTED BLOCKS  
8 ARE BETTER THAN ISOLATED BLOCKS. BLOCKS OF HABITAT  
9 THAT ARE OTHERWISE INACCESSIBLE TO HUMANS ARE BETTER.

10 IN THE SPECIFIC CASE OF THE SPINEFLOWER,  
11 BECAUSE OF ITS ANNUAL LIFE CYCLE AND FLUCTUATING  
12 NUMBERS, IT'S ECOLOGICALLY MORE VULNERABLE TO  
13 EXTINCTION THAN ORDINANCES WITH SMALLER BUT MORE STABLE  
14 POPULATION. SO THE CONSERVATION AREA OF EACH WILL  
15 ALLOW FOR MOVEMENT OF THE POPULATIONS AROUND AND IN THE  
16 CONSERVATION AREAS.

17 BOUNDARIES NEED TO BE DETERMINED BY  
18 REFERENCE TO ECOLOGY NOT POLITICS. THAT'S -- I KNOW A  
19 POLITICAL COMMENT, BUT NOSS ACTUALLY ADDRESSES IT IN  
20 HIS LITERATURE AS WELL.

21 AND RESERVES THAT ARE SURROUNDED BY  
22 LANDS WITH LOW-INTENSITY DEVELOPMENT TEND TO FAIR MUCH  
23 BETTER THAN RESERVES SURROUNDED BY HIGH-INTENSITY  
24 DEVELOPMENT, SUCH AS HOUSING SUBDIVISIONS.

25 WE ALSO RECOMMEND TO YOU A RECENT

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1 JOURNAL ARTICLE OUT OF CONSERVATION BIOLOGY IN 2001  
2 ENTITLED A METHOD FOR SETTING THE SIZE AND PLANT  
3 CONSERVATION TARGET AREAS. AND IT LOOKS AT ECOLOGY OF  
4 DIFFERENT SPECIES AND HOW BEST -- WITH LACK OF  
5 INFORMATION ON IT, HOW BEST TO CRAFT A CONSERVATION  
6 AREA THAT ALLOWS FOR VARIABLE EVALUATION OF DISTINCTION  
7 POTENTIAL.

8 AND THEN, LASTLY, ADDITIONAL CONCERNS  
9 ABOUT THE SPINEFLOWER CONSERVATION PLAN IS THAT A MAP  
10 OF THE CURRENT KNOWN LOCATIONS JUXTAPOSE WITH THE  
11 PROPOSED RESERVE AREAS WOULD BE VERY HELPFUL, IF NOT  
12 ESSENTIAL, AND A QUANTITATIVE EVALUATION OF THE NUMBER  
13 OF INDIVIDUALS IN THE CURRENT KNOWN LOCATIONS -- THAT  
14 INFORMATION HASN'T BEEN AVAILABLE -- ASSURANCES THAT  
15 THE RESERVES ARE FIRMLY PROTECTED AND ADEQUATELY  
16 MANAGED, SPECIFIC COMMITMENTS TO FUNDING FROM  
17 MANAGEMENT OF THE PRESERVES, INCREASE THE HABITAT VALUE  
18 OF THE PRESERVES OVER TIME, PERFORMANCE STANDARDS FOR  
19 THE PRESERVES, MONITORING OF THE POPULATIONS TO  
20 EVALUATE TRENDS AND TRIGGERS FOR IF THERE IS PROBLEMS  
21 ON THE PRESERVES AND IMMEDIATE TRIGGER REQUIREMENTS FOR  
22 TIMELY ACTIONS TO TRY TO SOLVE THOSE PROBLEMS.

23 NO FIRE CLEARANCE OR FUEL MODIFICATION  
24 ZONES SHOULD BE INCLUDED WITHIN THE PRESERVE, AND AN  
25 INVASIVE SPECIES CONTROL PLAN ALSO NEEDS TO BE INCLUDED

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1 AS A PART OF THAT.

2 THEN I JUST ALSO WANTED TO COMMENT ON A  
3 COUPLE OF THINGS FROM YOUR PRESENTATION, WHICH I REALLY  
4 DON'T ENJOY. I REALLY DON'T UNDERSTAND HOW -- WHAT THE  
5 50-YEAR TIME LINE IS ON THIS IF WE'RE CONSERVING THESE  
6 -- IT SEEMS LIKE THE NOTION WOULD BE IF THE DEVELOPMENT  
7 IS GOING TO HAPPEN, THEY NEED TO BE PRESERVED IN  
8 PERPETUITY, NOT FOR 50 YEARS.

9 ALSO, GENERALLY SPEAKING, THE C.N.P.S.  
10 OPPOSES THE USE OF BUFFERS. WE WOULD LIKE TO SEE THE  
11 PRESERVES BE DESIGNED TO BE ADEQUATE TO ELIMINATE THE  
12 NEED FOR THOSE. OFTENTIMES THOSE CAN GET CONFUSED WITH  
13 BEING INSIDE THE PRESERVE OR OUTSIDE THE PRESERVE. SO  
14 LET'S JUST GET RID OF THEM. LET'S NOT EVEN HAVE  
15 BUFFERS.

16 I THINK THAT I HAVE SOME OTHER  
17 QUESTIONS, BUT I'LL FOLLOW UP WITH THAT. THANK YOU  
18 VERY MUCH.

19 MR. ALLEN: THANK YOU.

20 MR. BOTTORFF.

21 AFTER MR. BOTTORFF, KATHRINE SQUIRES

22 WILL BE THE NEXT SPEAKER.

23 MR. BOTTORFF: MY NAME IS RON BOTTORFF,  
24 B-O-T-T-O-R-F-F.

25 I JUST WANT TO COMMENT THAT I GO BACK A

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1 LONG WAYS ON THIS RIVER, STARTING WITH THE SANTA CLARA  
2 RIVER ENHANCEMENT MANAGEMENT PLAN. WE WORKED FOR MANY  
3 YEARS ON THE BIOLOGICAL RESOURCES SUBCOMMITTEE LOOKING  
4 AT THE HABITATS THAT COME DOWN THE RIVER. WE END UP  
5 GIVING THIS AREA OF THE RIVER OUR SECOND HIGHEST  
6 CONSERVATION RATING BECAUSE OF THE RESOURCES IN THE  
7 AREA.

8 NOW, THE PLAN HAS NO JURISDICTION ON THE  
9 AREA, SO ONCE THE PROPOSED PERMITS ARE IN PLACE, THEY  
10 EFFECTIVELY BECOME THE RIVER MANAGEMENT PLAN. AND  
11 GIVEN THAT FACT, THE MANY ISSUES OF CONCERN REMAIN TO  
12 BE RESOLVED, AND THIS ASPECT IS A MAJOR CONCERN TO US.  
13 I REVIEWED THE ORIGINAL DRAFT D.I.S./D.I.R. PUBLISHED  
14 IN 1998, AND HERE ARE SOME OF THE AREAS OF CONTROVERSY  
15 AND ISSUES THAT WERE LISTED THERE:

16 WHAT IS THE LONG-TERM EFFECT OF  
17 STORMWATER RUNOFF ON THE UNARMORED THREE SPINE  
18 STICKLEBACK?

19 WHAT IS THE LONG-TERM EFFECT OF BANK  
20 PROTECTION ON THE SEDIMENT DYNAMICS OF THE RIVER?

21 CAN RIPARIAN RESTORATION BE SUCCESSFUL?

22 WHAT IS THE EFFECT OF BANK PROTECTION ON  
23 GROUNDWATER RECHARGE?

24 WHY CAN'T ALTERNATIVE METHODS OF BANK  
25 PROTECTION BE USED ON THE RIVER?

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1                   WHAT IS THE JUSTIFICATION FOR  
2 ENCROACHMENT IN THE RIVER WHEN THERE ARE UNDEVELOPED  
3 UPLANDS IN THE SURROUNDING AREAS?

4                   WE SUGGEST ALMOST ALL THESE CONCERNS  
5 REMAIN VALID TODAY, JUST AS THEY WERE SEVEN YEARS AGO.

6                   AS ILEENE HAS MENTIONED, REGARDING THIS  
7 REPORT BY U.C.L.A. ON THE EFFECT OF WETLAND MITIGATION,  
8 IMPACTS ARE ALMOST ALWAYS REDUCED TO LEVELS  
9 INSIGNIFICANT OR NONSIGNIFICANCE BASED ON MITIGATION.  
10 SO THIS IS A VERY DISTURBING REPORT. 96 PERCENT WERE  
11 JUDGED NOT OPTIMAL.

12                  SO IT'S ANOTHER PRIME REASON THAT A VERY  
13 CONSERVATIVE APPROACH NEEDS TO BE TAKEN WHEN PERMITTING  
14 ACTIVITY ALONG THE STREAM COURSES, WHICH INVOLVES  
15 SENSITIVE HABITATS.

16                  WE WOULD ASK THE FOLLOWING QUESTIONS  
17 CONCERNING MITIGATION SUCCESS OVER THE PAST FIVE OR SIX  
18 YEARS SINCE THE FIRST ROUND OF 404/1603 PERMITS UNDER  
19 THE N.R.M.P. HAVE BEEN IN PLACE:

20                  ONE, HAS AN ANALYSIS OF MITIGATION  
21 SUCCESS BEEN MADE?

22                  TWO, THE 1603 PERMIT, WHICH RUNS FOR  
23 FIVE YEARS, IS AUTOMATICALLY RENEWED UNLESS THE  
24 DEPARTMENT DETERMINES -- FISH AND GAME -- DETERMINES  
25 CONDITIONS -- THERE IS A SUBSTANTIAL CHANGE IN

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1 CONDITIONS.

2 HAS AN ANALYSIS BEEN MADE TO DETERMINE  
3 WHETHER, IN FACT, SUCH A CHANGE HAS OCCURRED OR IS IN  
4 THE MAKING.

5 THIRD, WHAT LEVEL OF ACCURACY AND  
6 ADEQUACY IS EVIDENT IN THE ANNUAL MITIGATION STATUS  
7 REPORTS THAT ARE REQUIRED UNDER MEASURE 505N IN THE  
8 RIPARIAN HABITAT MITIGATION PROGRAM UNDER THE N.R.M.P.

9 ONE OF THE RECOMMENDATIONS THAT WE HAVE  
10 CONSISTENTLY PUSHED OVER THE YEARS IS THE NEED FOR  
11 LARGER RIPARIAN BUFFER ZONES.

12 WE HAVE ALREADY SUPPLIED IN PREVIOUS  
13 COMMENTS TWO SCIENTIFIC PAPERS SUPPORTING OUR POSITION,  
14 ONE OF WHICH SHOWS THAT URBAN EDGE EFFECTS BREACHED THE  
15 INTERIOR OF THE PRESERVE OVER A MILE IN WIDTH, WHICH IS  
16 MUCH WIDER THAN THE RIVER'S RIPARIAN CORRIDOR.

17 WE NOTE THAT THE DEPARTMENT, IN PAST  
18 COMMENTS ON NEWHALL RANCH SPECIFIC PLAN RECOMMENDED --  
19 ITSELF RECOMMENDED A 500-FOOT BUFFER ZONE, AND THAT IS  
20 SURELY IN THE RIGHT DIRECTION.

21 FRIENDS REMAIN PARTICULARLY CONCERNED  
22 ABOUT CUMULATIVE IMPACTS OF MULTIPLE, LARGE DEVELOPMENT  
23 PROJECTS COVERED BY THE N.R.M.P. -- THE CURRENT  
24 N.R.M.P. AND, OF COURSE, OUR CONCERN CONTINUES INTO  
25 THE NEW ONE. THIS AREA IS HEADED FOR A POPULATION OF

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1 OVER 500,000 PEOPLE. WE DO NOT BELIEVE AN ADEQUATE  
2 ANALYSIS OF SUCH IMPACTS HAVE BEEN DONE AND THAT THE  
3 MITIGATION FOR THESE PROJECTS IS NOT SECURING EFFECTIVE  
4 COMPENSATION.

5 WE ALSO BELIEVE, GIVEN THE MANY CONCERNS  
6 ABOUT THE IMPACT OF THE SANTA CLARA RIVER AND  
7 TRIBUTARIES, THAT IT IS VERY INADVISABLE TO GRANT  
8 ANOTHER 20-YEAR-TYPE PERMIT FOR RIVER ALTERATION  
9 ACTIVITIES TO BE DONE FROM THE NEWHALL RANCH PROJECT ON  
10 THE UPCOMING E.I.S./E.I.R.

11 SUCH A 20-YEAR PERMIT DOES NOT ALLOW FOR  
12 UNANTICIPATED CHANGES IN RIVER AND HABITAT CONDITIONS  
13 AND CLOSES OFF ALL PUBLIC INPUT FOR 20 YEARS, WHICH IS  
14 WAY TOO LONG TO CLOSE OUT THE PUBLIC.

15 WE WILL SUBMIT FURTHER COMMENTS, BUT WE  
16 THANK YOU FOR THE OPPORTUNITY TO PRESENT THESE COMMENTS  
17 TONIGHT.

18 MR. ALLEN: THANK YOU.

19 KATHRINE SQUIRES.

20 MS. SQUIRES: GOOD EVENING.

21 MR. ALLEN: EXCUSE ME. THE NEXT SPEAKER  
22 WILL BE MR. TED MOORE.

23 MS. SQUIRES: GOOD EVENING. MY NAME IS  
24 KATHRINE SQUIRES, AND I AM A LIFE-LONG SANTA CLARITA  
25 VALLEY RESIDENT. I AM ALSO A LOCAL ELEMENTARY SCHOOL



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1 TEACHER. I AM HERE TONIGHT TO VOICE MY CONCERNS OVER  
2 THE PROPOSED NEWHALL RANCH DEVELOPMENT.

3 BASICALLY THIS DEVELOPMENT IS COMPLETELY  
4 UNSUITABLE FOR HOMES AND BUSINESSES. THIS AREA IS JUST  
5 NOT SUITABLE AND HERE IS WHY:

6 FIRST OF ALL, SANTA CLARA RIVER RUNS  
7 THROUGH THIS PROPERTY, WHICH IS THE ONLY LAST, WILD,  
8 FLOWING RIVER. IT'S ONE OF THE TEN MOST ENDANGERED  
9 RIVERS.

10 SECONDLY, THE DESTRUCTION OF HABITAT AND  
11 SPECIES -- UNIQUE SPECIES AND PLANTS CANNOT BE  
12 REPLACED -- WHICH CANNOT BE REPLACED.

13 THIRDLY, THERE IS INCREASED AIR  
14 POLLUTION FROM ADDITIONAL TRAFFIC EVERY DAY IN THIS  
15 VALLEY, AND ADDING 21,000 MORE UNITS WILL ONLY MAKE IT  
16 WORSE. IF THIS PROJECT IS APPROVED, THERE WILL BE, NO  
17 DOUBT, A CAUSE, A DRAMATIC INCREASE IN VALLEY FEVER,  
18 ASTHMA, AND ALLERGIES FOR CHILDREN AND ADULTS IN THIS  
19 COMMUNITY AND NEIGHBORING COMMUNITIES.

20 AND FOURTH, AND PERHAPS MY MOST  
21 IMPORTANT REASON FOR SPEAKING TONIGHT ABOUT DENYING  
22 THIS PROJECT, IS THAT IT IS IN A VERY INAPPROPRIATE  
23 AREA FOR BUILDING HOMES.

24 FIRST OF ALL, THE AREA IS VERY YOUNG,  
25 GEOLOGICALLY SPEAKING. JUST TWO MILLION YEARS AGO,

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1 THIS LAND, RIGHT NOW WHERE WE ARE STANDING AND  
2 ENCOMPASSING THE NEWHALL RANCH AREA, WAS AT THE OCEAN'S  
3 EDGE.

4 EVER SINCE THE OCEAN HAS BEEN RETREATING  
5 WEST, DUE TO CONTINENTAL UPLIFT. SIMILAR TO THAT IS  
6 THE CREATION OF HIMALAYAS. THIS IS DUE TO A  
7 COMPRESSION OF PLATES. THIS MEANS THAT ROCKS ARE  
8 DRAMATICALLY RISING AT A RATE OF SPEED THAT IS  
9 ABSOLUTELY INCREDIBLE. YOU CAN FIND SHARK TEETH AND  
10 OYSTER FOSSILS A THOUSAND FEET UP ON THE MOUNTAINS IN  
11 THIS AREA.

12 THIS AREA IS TECHNICALLY ACTIVE. BY  
13 THAT I MEAN MAJOR FAULTS. THERE ARE TWO MAJOR FAULTS  
14 GOING THROUGH IN THIS AREA -- THE OAKRIDGE AND THE SAN  
15 CAYETANO FAULT. THERE IS ALSO EMERGING VARIOUS OTHER  
16 FAULTS, AND YOU CAN SEE THESE ON ANY GEOLOGIC MAP,  
17 WHICH I BROUGHT WITH ME THIS EVENING. I DID NOT SEE  
18 ANY OF THESE FAULTS ON THE MAPS THAT YOU HAVE PROVIDED.

19 THESE FAULTS ARE MAJOR, ACTIVE TETONIC  
20 SYSTEMS. YOU CAN SEE EVIDENCE OF THIS ALONG THE 126  
21 FREEWAY WHERE YOU SEE ABRUPTLY UPTURNED ROCKS. IN  
22 FACT, IN THE '94 EARTHQUAKE, THERE WAS SO MUCH UPLIFT  
23 IN THAT AREA, WHERE THE NEWHALL RANCH IS BEING  
24 PROPOSED, THAT THE LAND WENT UP ONE-AND-A-HALF FEET.

25 SPEAKING OF EARTHQUAKES, LET'S NOT

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1 FORGET THE PICO CANYON EARTHQUAKE OF 1893, CAUSED  
2 DAMAGE SO EXTENSION THAT IT WENT ALL THE WAY TO THE  
3 SAGUS, CASTAIC, AND NEWHALL AREAS. I CAN ONLY IMAGINE  
4 HOW DEVASTATING IT WOULD HAVE BEEN IF THERE HAD BEEN  
5 21,000 HOMES THERE.

6 ALSO THE LAND IS MADE OF MUD, STONE, AND  
7 OTHER POORLY CONSOLIDATED MATERIALS, WHICH SUPPORTS  
8 WATER AND HAS FAILED UNDER ITS OWN HEAVY WEIGHT. THIS  
9 AREA IS PRONE TO MUDSLIDES, WHICH COULD BE SIMILAR TO  
10 THE LA CONCHITA IF THERE WERE HOMES AND BUSINESSES IN  
11 THAT AREA. THIS IS ESPECIALLY TRUE DUE TO THE STEEP  
12 SLOPES.

13 THIS INFORMATION HAS BEEN KNOWN SINCE  
14 THE 1960'S, AS MAPPED BY THE CALIFORNIA STATE DIVISION  
15 OF MINES AND GEOLOGY. AS I SAID, AGAIN, I HAVE THE MAP  
16 WITH ME IF YOU WOULD LIKE TO LOOK AT IT. THIS IS VERY  
17 WELL-KNOWN AS BEING AN AREA THAT IS UNSUITABLE FOR  
18 LARGE SCALE DEVELOPMENT.

19 WHEN YOU COMBINE THE DAMAGE TO THE  
20 ECOSYSTEM, AIR QUALITY, AND THE RIVER, AND THEN ADD IN  
21 THE DRAMATIC POTENTIAL FOR DAMAGE DUE TO LANDSLIDES AND  
22 EARTHQUAKES, IT'S ABSOLUTELY UNTHINKABLE THAT THIS  
23 PROJECT IS EVEN BEING CONSIDERED.

24 THANK YOU.

25 MR. ALLEN: THANK YOU.

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1 NEXT WILL BE MR. TED MOORE.

2 THE FOLLOWING SPEAKER WILL BE PATTI

3 WALKER.

4 MR. MOORE: HI. MY NAME IS TED MOORE,

5 MOORE AND COMPANY; M-O-O-R-E.

6 I'M REPRESENTING THE OWNERS OF THE

7 TRAVEL VILLAGE, WHICH IS PROBABLY THE ONLY PRIVATELY

8 OWNED PIECE. NEWHALL BASICALLY SURROUNDS THE ENTIRE

9 PROJECT. THE ADDRESS THERE IS 27946 HENRY MAYO DRIVE.

10 WE'VE BEEN IN DISCUSSION WITH THE

11 NEWHALL FOLKS FOR THE LAST 12 MONTHS OR SO, ESPECIALLY

12 OVER THE ISSUE OF COMMERCE CENTER DRIVE, TRYING TO

13 OBTAIN FROM THE OWNERS OF THE PROJECTS ABOUT FOUR ACRES

14 OF PROPERTY TO EXTEND COMMERCE CENTER DRIVE OVER AND

15 ACROSS THE RIVER TO THE OTHER SIDE FOR FUTURE

16 EXPANSION.

17 WE ARE QUITE CONCERNED ABOUT THE IMPACT

18 UPON OUR ACCESS TO THE PROPERTY, AS WELL AS THE IMPACT

19 ALONG THE RIVER EDGE -- THE RIVER FRONTAGE OF OUR OWN

20 PROPERTY. THE WORK THEY WILL BE DOING JUST TO THE WEST

21 OF THE BRIDGE IS GOING TO BE EXPENSIVE BANK

22 STABILIZATION AND ALL LEADING TO THE EDGE OF THE STREAM

23 BED.

24 SO WE HAVE OTHER, OBVIOUS, ECONOMIC

25 CONCERNS: BY THE INSTALLATION OF COMMERCE CENTER DRIVE

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1 IN THE MANNER THAT HAS BEEN PROPOSED IT, BASICALLY,  
2 DRAMATICALLY REDUCES THE QUALITY OF ACCESS INTO THIS  
3 PROJECT. SO THERE IS A MAJOR IMPACT ECONOMICALLY FROM  
4 THE LOCATION OF WHAT THEY ARE PROPOSING TO US.

5 WE ALSO HAVE CONCERNS ABOUT FUTURE  
6 POTENTIAL USES OF THE PROPERTY. THE OWNERS HAVE NOT A  
7 DESIRE -- I MEAN, THEY'RE GOING TO BE RUNNING THIS AS  
8 WHAT IT IS TODAY -- A RECREATIONAL VEHICLE TRAVEL  
9 VILLAGE LOCATION. IT'S BEEN VERY SUCCESSFUL. AND IT'S  
10 VERY POPULAR IN THE AREA, AND THAT DEFINITELY SERVES A  
11 WONDERFUL PURPOSE. BUT THEY'RE LOOKING DOWN THE ROAD  
12 AT THEIR FUTURE RIGHTS.

13 ARE THOSE GOING TO BE IMPACTED OR TAKEN  
14 AWAY IN ANY WAY? TO CHANGE THE USE IN THE FUTURE, STAY  
15 THE SAME AS THEY ARE? THEY'RE JUST NOT SURE WHAT'S  
16 GOING TO HAPPEN.

17 SO I THINK WE'RE RESPECTFULLY REQUESTING  
18 THAT THE SCOPE OF THE WORK -- AND I KNOW THIS IS MORE  
19 FOCUSED ON ENVIRONMENTAL ISSUES -- BE EXPANDED SO THAT  
20 IT REALLY ANALYZES THE PHYSICAL AND/OR ECONOMIC IMPACTS  
21 ON OUR PROPERTY AS WELL.

22 SO THAT WOULD BE OUR REQUEST. WE WILL  
23 SUBMIT OUR REQUEST IN WRITING AS WELL.

24 THANK YOU.

25 MR. ALLEN: THANK YOU VERY MUCH.

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1 PATTI WALKER.

2 AFTER PATTI WALKER, THE NEXT SPEAKER  
3 WILL BE BARBARA WAMPOLE.

4 MS. WALKER: GOOD EVENING. MY NAME IS  
5 PATTI WALKER, AND THAT'S WITH AN "I."

6 AS YOU'VE ALREADY HEARD, WASHINGTON D.C.  
7 HAS DETERMINED THAT THIS SANTA CLARA RIVER IS ONE OF  
8 AMERICA'S TEN MOST ENDANGERED RIVERS.

9 THE PROJECT THAT YOU ARE SCOPING TONIGHT  
10 IS ONLY ONE OF SEVERAL PROJECTS THAT ARE PLANNED ALONG  
11 SANTA CLARA RIVER. THE ARMY CORPS AND CALIFORNIA  
12 DEPARTMENT OF FISH AND GAME NEEDS TO LOOK AT THE  
13 CUMULATIVE IMPACT OF ALL THE PROJECTS THAT ARE PLANNED.

14 THE HERITAGE VALLEY PARK PROJECT,  
15 DOWNSTREAM OF THIS PROJECT IN FILLMORE, ALSO IS  
16 REQUIRING A 404 PERMIT, BUT ONLY AN ENVIRONMENTAL  
17 ASSESSMENT IS BEING PLANNED ON THAT PROJECT, AND I  
18 WOULD LIKE TO KNOW WHY.

19 WITH SANTA CLARA RIVER WATERSHED  
20 FEASIBILITY STUDY, THE WORK THAT'S BEING UNDERTAKEN  
21 WITH THE ARMY CORPS AS A MAIN PARTNER IN THAT STUDY,  
22 THE INFORMATION THAT YOU ARE GATHERING WILL HAVE A  
23 DIRECT EFFECT AND AN IMPACT ON YOUR E.I.S.

24 AS A RESULT OF THAT WORK, MANY QUESTIONS  
25 REMAIN UNANSWERED AS TO THE EFFECT THAT THIS PROJECT

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1 AND THOSE THAT ARE PLANNED DOWNSTREAM ALONG THE RIVER  
2 WILL HAVE, NOT JUST TO THE WATER QUALITY, BUT THE  
3 ENDANGERED SPECIES AND THE AIR QUALITY, NOT HERE, JUST  
4 IN THE SANTA CLARA VALLEY BUT DOWNSTREAM IN PIRU,  
5 FILLMORE, AND THE REST OF VENTURA COUNTY.

6 PLEASE KEEP THAT IN MIND. THANK YOU.

7 MR. ALLEN: THANK YOU.

8 AFTER BARBARA WAMPOLE, LYNNE PLAMBECK  
9 WILL BE THE NEXT SPEAKER.

10 MS. WAMPOLE: MY NAME IS BARBARA  
11 WAMPOLE, W-A-M-P-O-L-E.

12 THANK YOU FOR HAVING THIS HEARING  
13 TONIGHT. I WOULD JUST LIKE US TO PONDER THE IDEA OF  
14 PREVIOUSLY THOUGHT TO BE EXTINCT. IT'S PROBABLY A MUCH  
15 BIGGER CONCEPT THAN WE GIVE IT CREDIT FOR. IT JUST  
16 SORT OF ROLLS OFF THE TONGUE EASILY. AND I THINK IT'S  
17 A PRESUMPTION TO THINK THAT SOMEHOW IN THE SHORT TERM  
18 THAT WE LOOK AT SOMETHING LIKE THE LENGTH OF THIS  
19 PROJECT OR EVEN A 50-YEAR CONSERVATION PLAN, THAT WE  
20 SHOULD EVEN IMAGINE THAT.

21 I MEAN, I THINK IT'S ACTUALLY ARROGANT  
22 FOR US TO EVEN IMAGINE THAT WE CAN CONCEIVE OF THIS  
23 ACTUALLY BEING RECOVERY, WHEN YOU CONSIDER THAT AT THIS  
24 TIME THERE ARE CATTLE GRAZING ON THE ACTUAL SITE OF ONE  
25 OF THE AREAS THAT IS CONSIDERED TO BE PART OF THE

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1 PRESERVE FOR THE FUTURE. THAT IN ITSELF SORT OF  
2 CHALLENGES OUR COMMITMENT TO THAT IDEA.

3 AND THE IDEA THAT EVEN ON THE WESTRIDGE  
4 PROJECT, WHERE I WOULD ASSUME THAT WE WON'T BE  
5 CONSIDERING THE POSSIBILITY, GOATS ARE BEING USED IN  
6 THE CONSERVATION AREA, I BELIEVE, FOR FIRE SUPPRESSION.

7 SO ANY GROUND THAT WAS COVERED WITH ANY  
8 KIND OF NATURAL SPECIES THAT MIGHT BE CONSIDERED WORTH  
9 PRESERVING, WE'RE NOT -- IT WASN'T LIKE THOSE GOATS  
10 WERE LOOKING BETWEEN THE DIFFERENT PLANTS AND SAYING,  
11 WELL, THIS ONE I WON'T EAT BECAUSE IT'S ENDANGERED; AND  
12 THIS ONE I WILL EAT BECAUSE IT'S GOOD FOR ME AND I LIKE  
13 THE WAY IT TASTES.

14 SO I THINK WE SHOULD TAKE A LOT MORE  
15 SERIOUSLY THE IDEA THAT THIS PLANT WAS CONSIDERED TO  
16 BE -- PREVIOUSLY CONSIDERED TO BE EXTINCT. AND ALSO TO  
17 KEEP IN MIND THAT THIS WONDERFUL LITTLE SPECIES, THE  
18 IVORY BILLED WOODPECKER, WAS ALSO PREVIOUSLY THOUGHT TO  
19 BE EXTINCT.

20 AND JUST IN CASE ANYONE HASN'T SEEN  
21 PICTURES, THIS IS A WONDERFUL PICTURE OF A YELLOW BIRD  
22 ON SOMEONE'S ARM IN 1938, ALONG WITH A VERY FEW OF THEM  
23 THAT HAVE BEEN SEEN IN THE LAST 70 YEARS.

24 WE JUST MIGHT THINK ABOUT THE FACT THAT  
25 REGARDLESS OF HOW THIS ALL ENDS UP, THE SECRETARY OF



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1 THE INTERIOR, GAYLE MORTON, SET ASIDE 5,000 ACRES JUST  
2 FOR THAT ONE BIRD THAT THEY HAPPENED TO SEE IN HOPES  
3 THAT THAT PARTICULAR SPECIES WOULD RECOVER, AND THAT  
4 THEY HAVE SET ASIDE \$10 MILLION FOR THE RECOVERY OF  
5 THAT SPECIES' HABITAT.

6 SO I WOULD LIKE TO SUGGEST THAT WE TAKE  
7 VERY, VERY SERIOUSLY THE IDEA THAT THIS IS A PREVIOUSLY  
8 THOUGHT TO BE EXTINCT SPECIES AND THINK MOSTLY IN THE  
9 DIRECTION OF ITS RECOVERY AND NOT EVEN IMAGINING THAT  
10 WE ARE GOING TO ACHIEVE IT, MAYBE IN OUR LIFETIME, AND  
11 WE HAVE TO DO SOME VERY SERIOUS THINGS IN ORDER TO MAKE  
12 SURE THAT THAT HAPPENS.

13 I GUESS THERE'S NOT TOO MUCH ELSE I  
14 REALLY WANT TO SAY EXCEPT FOR THE FACT THAT THE CORPS  
15 AND OTHER AGENCIES ARE HARD PRESSED TO DO WHAT IT TAKES  
16 TO ACTUALLY PRODUCE THE PERMITS THAT WE SEE -- THE KIND  
17 OF PERMITS WE SEE BEFORE US TONIGHT. AND THIS ONE, IN  
18 PARTICULAR, LIKE THE NATURAL RIVER MANAGEMENT PLAN, ARE  
19 VERY UNUSUAL, IN FACT, TO GO FOR 20 YEARS WITHOUT ANY  
20 PUBLIC REVIEW.

21 BUT ONE OF THE THINGS I'VE BEEN TOLD IN  
22 THE PAST IS THAT THE AGENCIES ARE HARD PRESSED TO JUST  
23 GET THEIR PERMITS ISSUED, AND THAT ENFORCEMENT OF THE  
24 KINDS OF THINGS THAT ARE STIPULATED IN THESE PERMITS IS  
25 HARD TO COME BY. MOST OF THE AGENCIES ARE

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1 UNDERSTAFFED. AND I THINK WE NEED TO KEEP SERIOUSLY IN  
2 MIND AS WELL THE IDEA THAT BEFORE WE ISSUE PERMITS, WE  
3 REALLY DO HAVE TO SERIOUSLY THINK ABOUT WHETHER WE CAN  
4 ENFORCE THEM.

5 THANK YOU.

6 MR. ALLEN: THANK YOU.

7 LYNNE PLAMBECK.

8 TERESA SAVAICKIE WILL BE THE NEXT  
9 SPEAKER.

10 MS. PLAMBECK: MY NAME IS LYNNE  
11 PLAMBECK; L-Y-N-N-E, P-L-A-M-B-E-C-K. I'M HERE  
12 REPRESENTING (UNINTELLIGIBLE) ORGANIZATION FOR PLANNING  
13 IN THE ENVIRONMENT.

14 AT THE PREVIOUS HEARING, WE TALKED A LOT  
15 ABOUT CONCERN OVER THE SO-CALLED NATURAL RIVER  
16 MANAGEMENT PLAN NOT OPERATING AS IT SHOULD, TECH  
17 ISSUES, AND THAT PERMITS, AH, PERMITTING PROCESS HAS  
18 PRECLUDED GOOD PUBLIC REVIEW AND THAT 20 YEARS IS TOO  
19 LONG. AND I WOULD JUST LIKE TO REITERATE ALL THOSE  
20 STATEMENTS, AND ADD TO THEM, THAT AS YOU -- OR THIS  
21 PERMITTING PROCESS, IT'S IMPERATIVE THAT YOU LOOK AT  
22 CUMULATIVE IMPACTS OF CONCRETING TRIBUTARIES.

23 REGIONAL WATER QUALITY HAS DONE SOME  
24 STUDIES TO SHOW THAT THE CONCRETE IS, IN FACT, CHANGING  
25 THE P.H. AND WATER QUALITY. AND AS YOU KNOW OR

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1 PROBABLY ARE AWARE, EARLIER THIS YEAR REGIONAL WATER  
2 QUALITY CONTROL BOARD PASSED A RESOLUTION REGARDING  
3 HYDRO MODIFICATIONS AND INDICATING THAT THEY INTENDED  
4 TO LOOK VERY CLOSELY AT THEIR ISSUANCE OF A 401 PERMIT  
5 TO ENSURE THAT THE BENEFICIAL USES WERE PRESERVED.

6 AND I WOULD JUST LIKE YOU TO MAKE SURE  
7 THAT YOU CONSIDER THAT RESOLUTION THAT THEY PASSED  
8 EARLIER THIS YEAR, SORT OF JUST THAT WE'RE GOING TO  
9 ENFORCE OUR LAWS. AND IF EVERYBODY ENFORCED OUR LAWS,  
10 A LOT OF WHAT HAPPENED IN THE NATURAL RIVER MANAGEMENT  
11 PLAN WOULD NOT HAVE HAPPENED.

12 I WOULD LIKE TO SEE YOU INCLUDE AN  
13 ALTERNATIVE OF THAT, THAT DOES NOT ALLOW CONCRETING OF  
14 ANY OF THE TRIBUTARIES OR STREAMS, REQUIRES THAT  
15 DEVELOPMENT TO BACK AWAY FAR ENOUGH SO THAT CONCRETING  
16 WOULD NOT BE REQUIRED, AND THAT NO ALTERATION OF THE  
17 RIVER ITSELF BE ALLOWED. MAYBE PROTECTING THE 500-YEAR  
18 FLOOD PLAIN WOULD BE THE WAY TO DO THAT.

19 THE PERMIT SHOULD INCLUDE A -- SOME SORT  
20 OF A WAY OF PUBLIC REVIEW AFTER THREE YEARS, JUST TO  
21 MAKE SURE THAT WHAT WAS PERMITTED IS ACTUALLY OCCURRING  
22 AND THAT OVERSIGHT AND GOOD MITIGATION, AS REQUIRED BY  
23 THE PERMIT IS ACTUALLY OCCURRING BECAUSE THAT IS NOT  
24 HAPPENING IN THE NATURAL RIVER MANAGEMENT PLAN.

25 AND I THINK THAT A REVIEW OF WHAT IS

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1 GOING IN THE NATURAL RIVER MANAGEMENT PLAN TODAY WOULD  
2 PROVIDE A GOOD BASIS TO SEE WHERE THE PROBLEMS ARE IN  
3 ANY NEW POTENTIAL PERMIT YOU MIGHT GIVE.

4 CHANNEL CLEARING, AS WE LOOKED AT,  
5 AS THE PREVIOUS SPEAKER SAID, THE CHANNELS WOULD NEED  
6 TO BE MAINTAINED. IF YOU ALLOWED CHANNELS TO BE  
7 INSTALLED, THAT CREATES PROBLEMS OF ITS OWN AND  
8 DESTRUCTION OF SPECIES.

9 THERE WAS A POLICY OF NONLOSS OF  
10 WETLANDS, AND SOMEHOW THAT GOT CHANGED TO, WELL, IF YOU  
11 CAN'T FIND A WETLANDS TO BUY TO REPLACE WHAT YOU'RE  
12 LOSING, THEN THEY WILL LET YOU MITIGATE BY TAKING OUT A  
13 (UNINTELLIGIBLE) ARUNDO. SO THE END RESULT IS, OF  
14 COURSE, THE DEVELOPER WOULD MUCH PREFER TO TAKE OUT AN  
15 ARUNDO THAN FIND ANY NEW LAND.

16 I DON'T THINK THAT MITIGATION SHOULD BE  
17 ALLOWED. IT'S RESULTING IN LOSS OF WETLANDS ALL UP AND  
18 DOWN THE SANTA CLARA RIVER. IT SHOULD BE -- ARUNDO  
19 REMOVAL SHOULD BE IN ADDITION TO, NOT A SUBSTITUTION  
20 FOR FINDING WETLANDS AND ACQUIRING WETLANDS. AND THE  
21 WETLANDS REQUIREMENT SHOULD BE, AS YOU PREVIOUSLY HAVE  
22 REQUIRED ON A TWO-TO-ONE BASIS, BUT THEN YOU NEVER MADE  
23 THEM BUY THE LAND, SO WE'RE DOING ALL THIS ARUNDO  
24 REMOVAL.

25 ALSO, I THINK ARUNDO REMOVAL IS GETTING

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1 COUNTED TWICE. I THINK IT'S GETTING -- IT'S REQUIRED  
2 FOR PERMITS, AND THEN SOMEHOW WE HAVE ALL THESE FEDERAL  
3 GRANTS THAT ARE PAYING FOR IT. SO I DON'T EVEN THINK  
4 IT'S WORKING AT MITIGATION.

5 IT'S WORKING AT THE PUBLIC'S EXPENSE  
6 WHERE MITIGATION IS REQUIRED. SO THAT IF YOU NEED TO  
7 DEVELOP A PROCESS SO THAT YOU CAN TRACK WHERE YOU --  
8 WHAT MITIGATIONS YOU HAVE PERMITTED. BECAUSE WHATEVER  
9 YOU'RE DOING, IT'S NOT WORKING WELL.

10 I WOULD LIKE TO SUGGEST THAT THERE BE  
11 SOMETHING IN THE MITIGATION REQUIREMENTS THAT WOULD  
12 REQUIRE FUNDING OF AN INDEPENDENT OVERSIGHT OR A  
13 NONPROFIT ORGANIZATION OR SOMETHING THAT WILL COME IN  
14 AND SEE THAT THE MITIGATION IS ACTUALLY OCCURRING AND  
15 THAT IT'S NOT BEING DOUBLE COUNTED. I MEAN, THAT  
16 SHOULD BE YOUR JOB.

17 I DON'T KNOW WHAT IS HAPPENING, BUT IT'S  
18 NOT HAPPENING THERE. THERE IS SO MUCH GOING ON ON THE  
19 RIVER THAT REGULATORY AGENCY STAFF HAVE RELATED TO MANY  
20 OF US THAT THEY HAVE TROUBLE KEEPING UP WITH IT. AND  
21 AS YOU KNOW, THE SPECIES ARE NOT BEING PROTECTED.

22 SO WE WILL BE SUBMITTING WRITTEN  
23 COMMENTS, BUT THAT'S JUST SOMETHING TO START WITH.

24 THANK YOU.

25 MR. ALLEN: THANK YOU.

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1                   TERESA SAVAIKIE.

2                   AND LISA FIMIANI WILL BE NEXT.

3                   MS. SAVAIKIE: TERESA SAVAIKIE;

4   T-E-R-E-S-A, S-A-V-A-I-K-I-E; REPRESENTING THE CENTER  
5   FOR BIOLOGICAL DIVERSITY.

6                   I WOULD LIKE TO LEAD OFF IN TALKING  
7   ABOUT THE NATURAL RIVER MANAGEMENT PLAN, AND THE  
8   FAILURES THOUGH THAT HAVE NOT BEEN ADDRESSED. I WOULD  
9   LIKE TO SEE THAT THOSE FAILURES; SUCH AS, THE TRAIL  
10   FAILURES THAT HAVE OCCURRED BY THE JEFFERSON  
11   APARTMENTS, WITHIN THE NATURAL RIVER MANAGEMENT PLAN,  
12   AND THE TRAIL FAILURES ALONG SAN YSIDRO CREEK.

13                  WITHIN THE NATURAL RIVER MANAGEMENT  
14   PLAN, BOTH AREAS HAD NOT HAD ANY FORM OF BANK  
15   STABILIZATION. WE NOW UNDERSTAND THAT TAXPAYERS AND/OR  
16   THROUGH SOME SORT OF MITIGATION THROUGH NEWHALL WILL BE  
17   RESPONSIBLE FOR REPAIRING THOSE TRAILS.

18                  WE HAVE A REAL ISSUE WITH THAT BECAUSE  
19   NOW YOU ARE LOOKING TO HARDEN THOSE BANKS, WHERE  
20   SENSITIVE SPECIES OCCUR, INCLUDING THE CALIFORNIA FULLY  
21   PROTECTED UNARMORED THREE-SPINE STICKLEBACK, WHICH IS A  
22   CALIFORNIA FULLY PROTECTED SPECIES.

23                  THESE PERMITS KEEP BEING GRANTED BY THE  
24   CALIFORNIA DEPARTMENT OF FISH AND GAME TO ALTER THE  
25   HABITAT OF THESE SPECIES.

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1                   BUT I WANTED TO GET BACK TO THIS: THE  
2 AGENCY DID NOT ADDRESS BANK STABILIZATION IN THESE TWO  
3 REALLY SENSITIVE AREAS. AND NOW YOU'RE LOOKING AT SOME  
4 FORM OF BANK STABILIZATION IN ORDER TO REBUILD THE  
5 TRAILS. I WOULD CONSIDER THAT A GREAT AMENDMENT TO A  
6 NATURAL RIVER MANAGEMENT PLAN, AND THEREFORE THERE  
7 SHOULD BE PUBLIC REVIEW ADDRESSING THAT.

8                   AND ANOTHER ISSUE IN RELATION TO THE  
9 NATURAL RIVER MANAGEMENT PLAN IS THE FINDING OF THE  
10 ARROYO TOAD AFTER THE APPROVAL OF THE NATURAL RIVER  
11 MANAGEMENT PLAN. OF COURSE, WE WERE ABLE TO GO BACK,  
12 YOU KNOW, BACK TO 1994 AND RECOGNIZE THAT NEWHALL LAND  
13 WAS FULLY AWARE THAT THE SPECIES OCCURRED THERE  
14 ALTHOUGH DENIED.

15                  AND IN THE RECENT DOCUMENTATION FROM  
16 U.S. FISH AND WILDLIFE, THEY STATE IN THE PROPOSED  
17 CRITICAL HABITAT THAT THE N.R.P. DOESN'T PROTECT THE  
18 ARROYO TOAD. SO WE'RE WONDERING WHY THAT ISN'T  
19 CONSIDERED SOMETHING WE NEED TO BE REVIEWING, AND THE  
20 PUBLIC HAS THE RIGHT TO REVIEW.

21                  WHAT IS IT THAT TRIGGERS A REVIEW AS YOU  
22 AMEND THE NATURAL RIVER MANAGEMENT PLAN AND/OR IGNORE  
23 FEDERAL AGENCIES CHARGED WITH PROTECTING ENDANGERED  
24 SPECIES. WHEN THEY PLAINLY STATE THAT THE PROJECT DOES  
25 NOT PROTECT THE ARROYO TOAD, BUT YET YOU CONTINUE TO

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1 ALLOW BANK STABILIZATION, MODIFICATION OF THE BANKS,  
2 CLEARING OF SMALLER TRIBUTARIES, WHERE ARROYO TOADS ARE  
3 KNOWN TO OCCUR.

4 I WOULD LIKE TO ALSO GO INTO -- AND SO,  
5 THEREFORE, IN ORDER FOR NEWHALL LAND TO REALLY LOOK AT  
6 THE CUMULATIVE IMPACT, THEY MUST ALSO LOOK AT THE  
7 CUMULATIVE IMPACT UNDER THE NATURAL RIVER MANAGEMENT  
8 PLAN, WHICH WERE NEVER REALLY, FULLY REALIZED UNTIL  
9 JUST RECENTLY, AND EVEN THEN, I BELIEVE THERE IS  
10 FURTHER IMPACT THAT WILL OCCUR. AND UNLESS YOU CHANGE  
11 THE WAY YOU ARE WORKING, THE PUBLIC WON'T HAVE ANY  
12 INPUT WHATSOEVER.

13 BEING THAT WE ARE GOING TO BE PAYING FOR  
14 ALL THESE INFRASTRUCTURES, FAILURE TO -- IT'S A  
15 TAXPAYER ISSUE TOO, AND THE PUBLIC DESERVES THE RIGHT  
16 TO COMMENT AND LOOK AT THESE PROJECTS AND THE POTENTIAL  
17 IMPACTS (UNINTELLIGIBLE) AND OUR QUALITY OF LIFE AND ET  
18 CETERA, ET CETERA.

19 AND SO NEWHALL LANDS AND THIS JOINT  
20 E.I.S./E.I.R. NEEDS TO ADDRESS AND LOOK AT, VERY  
21 IMPORTANTLY IN MY OPINION, THE FAILURES WITHIN THE  
22 N.R.P., OTHERWISE YOU REALLY WOULDN'T HAVE A CUMULATIVE  
23 IMPACT ANALYSIS THAT WAS APPROPRIATE.

24 I WOULD ALSO LIKE TO SEE A FURTHER  
25 ANALYSIS FROM THE HEADWATERS TO THE OCEAN IN THIS JOINT



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1 E.I.S./E.I.R. THAT LOOKS AT ALL THE PROJECTS IN THE  
2 HEADWATERS.

3 YOU KNOW YOU HAVE SPRING CANYON, TICK  
4 CANYON -- EVERYTHING THAT HAS GONE ON -- AND PLUM  
5 CANYON CREEK, WHICH USED TO BE A CREEK BUT IS NOW A  
6 CONCRETE DITCH. AH, ALSO, THERE IS RIVER PARK AND THE  
7 SEVEN TRIBUTARIES THAT ARE BEING LOST AND/OR MODIFIED  
8 AND OR RELOCATED UNDER THE NAME OF ENHANCEMENT.

9 THE TRIBUTARIES IN SAN YSIDRO CREEK THAT  
10 WERE NEVER ADDRESSED, FISH AND GAME HAS RECORDS THAT  
11 THEY WERE ACTUALLY BLUE LINE STREAM THAT NEWHALL CALLED  
12 AGRICULTURAL DITCHES, WHERE NATIVE FISH AND AMPHIBIANS  
13 WERE OBSERVED.

14 WE HAVEN'T BEEN ABLE TO FIND ANY  
15 RESOLUTIONS TO THE LOSS OF THOSE TRIBUTARIES. AND WITH  
16 THE LOSS OF 90 PERCENT OF OUR WETLANDS, IT SEEMS  
17 EXTREMELY IMPORTANT THAT WE LOOK AT EVERY SINGLE  
18 (UNINTELLIGIBLE) THAT'S BEING LOST AND, YOU KNOW,  
19 WHETHER MINOR, LARGE, OR OTHERWISE, ADJACENT PONDS TO  
20 ENSURE THAT WE HAVE SOMETHING LEFT SO THAT OUR RIVER  
21 HABITAT DOESN'T END UP ON SOME ENDANGERED SPECIES LIST,  
22 WHICH IT PROBABLY ALREADY SHOULD BE -- OUR HABITAT.

23 AND THE ARROYO -- ONE OTHER THING ABOUT  
24 THE ARROYO TOAD IS THAT IT DOES REQUIRE UPLAND HABITAT.  
25 AND FISH AND WILDLIFE POINTS OUT THAT THEY HAVE LOST

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1 ALL OF THEIR -- OR ARE LOSING AND/OR HAVE LOST ALL OF  
2 THEIR UPLAND HABITAT WITHIN THE NATURAL RIVER  
3 MANAGEMENT PLAN.

4 WE DO BELIEVE THAT THE ARROYO TOAD  
5 OCCURS DOWNSTREAM OF THE N.R.P. BECAUSE IT TRAVELS  
6 UPSTREAM AND DOWNSTREAM. AND ANY SCIENTIFIC PERSON  
7 NEEDS TO TRULY ADMIT THAT UP FRONT. THEY'VE BEEN  
8 TRACKED. THEY CAN TRAVEL ONE MILE IN ONE EVENING. THE  
9 FISH AND GAME (UNINTELLIGIBLE) INFORMATION TO DETERMINE  
10 THAT ARROYO TOADS DO OCCUR WITH THAT PROJECT SITE.

11 AND, LET'S SEE -- I ALSO WANTED TO  
12 DISCUSS, YOU KNOW, CASTAIC LAKE WATER AGENCY HAS  
13 RECENTLY CHANGED THEIR METHODS OF CLEANSING AND/OR  
14 PURIFYING OUR WATER. I WOULD LIKE TO SEE THE D.I.R. --  
15 THE JOINT E.I.S./D.I.R. ADDRESS CLOROMINE IN ITS IMPACT  
16 TO NATIVE FISH AND AMPHIBIANS BECAUSE IT'S OUR  
17 UNDERSTANDING THAT IT IS ACTUALLY MORE HARMFUL TO THE  
18 SPECIES. SO WHAT ARE WE GOING TO DO ABOUT THAT?

19 I ALSO HAVE AN ISSUE WITH RETENTION  
20 PONDS THAT CONTINUE TO POP UP IN ALL OF THESE  
21 DEVELOPMENTS. AND ALTHOUGH IT'S A REALLY GREAT IDEA TO  
22 KEEP POLLUTION OUT OF THE RIVERS, IT'S BECOME A  
23 BREEDING HABITAT FOR NONNATIVE AGGRESSIVE PREDATORS;  
24 SUCH AS, THE AFRICAN FROG, WHICH IS BECOMING SO  
25 PROMINENT THROUGHOUT THIS ENTIRE WATERSHED -- IN SANTA

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1 PAULA, SANTA CLARITA, AND EVERYWHERE.

2 AND THESE RETENTION PONDS DO NOTHING BUT  
3 SUPPORT THEIR HABITAT AND THEREFORE PREY UPON OUR OWN  
4 ENDANGERED SPECIES.

5 ENFORCEMENT: FISH AND GAME, THE ARMY  
6 CORPS -- I MEAN, FISH AND WILDLIFE, THE CITY OF SANTA  
7 CLARITA, UNFORTUNATELY -- AND I RECOGNIZE EVERYBODY'S  
8 RESOURCES ARE LIMITED -- HAVE NOT BEEN ABLE TO ENFORCE  
9 MITIGATION.

10 OFF-ROAD VEHICLE USE CONTINUES UNABATED.  
11 WE ARE TRYING, NOW, TO WORK WITH THE SHERIFF'S  
12 DEPARTMENT TO ADDRESS OFF-ROAD VEHICLE USE BECAUSE  
13 OBVIOUSLY THE AGENCIES ARE INCAPABLE OF DEALING WITH  
14 THAT.

15 THIS HAS BECOME LIKE A -- THERE'S DRUG  
16 DEALING GOING ON BELOW SOME OF THE AREAS, AND REALLY  
17 THE RIVER IS BEING TRAMPLED. AND IF ALL THAT -- THERE  
18 NEEDS TO BE SOME SORT OF ENFORCEMENT, AH, THAT MEANS  
19 SOMETHING. IT'S JUST NOT SOMETHING IN WRITING. IT'S  
20 NOT JUST A DOCUMENT FOR US TO LOOK AT THAT MAKES US  
21 FEEL ALL WARM AND COZY, BUT IT'S SOMETHING THAT REALLY  
22 PROTECTS WHATEVER LITTLE BIT YOU DECIDE TO LEAVE.  
23 HOPEFULLY IT'S A LITTLE BIT MORE THAN YOU DID IN THE  
24 N.R.P.

25 AND I GUESS, FOR NOW, WE WILL BE

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1 SUBMITTING SOME COMMENTS IN WRITING, AH, BEFORE THE  
2 5TH.

3 THANK YOU.

4 MR. ALLEN: THANK YOU.

5 RIGHT NOW THIS IS THE LAST SPEAKER THAT  
6 I HAVE, SO IF ANYBODY HAS BEEN MOTIVATED TO SPEAK, GET  
7 A SPEAKER CARD TO ME A.S.A.P.

8 MS. FIMIANI: HELLO. MY NAME IS LISA  
9 FIMIANI; F-I-M-I-A-N-I. I'M WITH AUDUBON CALIFORNIA.  
10 I'M ON THE STATE BOARD. I'M ALSO WITH THE FRIENDS OF  
11 THE SANTA CLARA RIVER. AND I WAS ACTUALLY HERE IN  
12 FEBRUARY OF 2004, AND I SPOKE TO YOU ABOUT THE I.B.A.  
13 AND THE FACT THAT THE SANTA CLARA RIVER VALLEY IS ONE  
14 OF 150 I.B.A.'S IN THE STATE OF CALIFORNIA.

15 ONE OF THE AREAS THAT I BIKE RIDE, WHERE  
16 I LIVE IN CULVER CITY, IS THE BIONA CREEK BIKE PATH.  
17 AND I CANNOT TELL YOU HOW IT PAINS MY HEART TO RIDE  
18 THAT BIKE PATH BECAUSE IT IS COMPLETELY CEMENT LINED.  
19 THERE WAS A TIME WHEN IT WAS COMPLETELY LINED BY  
20 COTTONWOODS AND ARROYOS AND WILLOWS. IT USED TO BE  
21 WHAT IS UP HERE. AND THAT WOULD BE THE FATE OF THE  
22 SANTA CLARA RIVER IF YOU ALLOW ALL THIS DEVELOPMENT TO  
23 GO THROUGH.

24 THERE ARE PORTIONS FROM THIS BOOK THAT I  
25 READ LAST TIME -- I'M NOT GOING TO READ THEM ALL AGAIN

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1 -- BUT I THINK THERE IS ONE PORTION IN PARTICULAR THAT  
2 IS WORTHY OF READING ONCE AGAIN.

3 THIS BOOK WAS WRITTEN BY DAN COOPER, WHO  
4 IS A BIOLOGIST, AND AN EXPERT IN BIRDS. AND THIS  
5 CHAPTER IS ON SANTA CLARA RIVER VALLEY. IN THE SECTION  
6 THAT TALKS ABOUT BIRDS, THE HABITAT ALONG THE SANTA  
7 CLARA RIVER SUPPORTS THE LARGEST COMMUNITY OF RIPARIAN,  
8 BIRDS BETWEEN THE SANTA YNEZ RIVER AND SANTA BARBARA  
9 COUNTY AND THE PRADO BASIN IN RIVERSIDE COUNTY.

10 HE GOES ON TO SAY UNDER CONSERVATION  
11 ISSUES, PORTIONS OF THE INTACT LOWLAND RIPARIAN BIRD  
12 COMMUNITY OF THE SANTA CLARA RIVER ARE TITTERING ON THE  
13 BRINK OF DISASTER, PARTICULARLY WITHIN THE LOS ANGELES  
14 COUNTY. EVEN NOW MASSIVE RESIDENTIAL DEVELOPMENTS AND  
15 ASSOCIATED RIVER CHANNELIZATION HAVE ALL BUT BISECTED  
16 THE RIVER INTO A LOWER AND AN UPPER SECTION.

17 I DON'T KNOW IF YOU ARE AWARE -- I'M  
18 SURE YOU ARE -- THAT 32 MILES OF THE L.A. RIVER IS  
19 GOING TO BE RESTORED. I WOULD HATE TO THINK THAT 50  
20 YEARS FROM NOW THERE ARE GOING TO BE PEOPLE NEEDING TO  
21 UNDO THE DAMAGE THAT COULD BE DONE IF THIS KIND OF  
22 DEVELOPMENT IS ALLOWED ALONG THE SANTA CLARA RIVER.

23 IT REALLY COMES DOWN TO ONE SIMPLE FACT:  
24 NO DEVELOPMENT SHOULD BE ALLOWED IN A FLOOD PLAIN, LET  
25 ALONE A RIVER PLAIN.

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1                   THANK YOU.

2                   MR. ALLEN: THANK YOU.

3                   IF THERE ARE NO OTHER PEOPLE THAT WOULD  
4   LIKE TO SPEAK, LET ME THANK EVERYBODY FOR COMING  
5   TONIGHT. I WILL REITERATE THAT ALL OF THE COMMENTS  
6   THAT WE RECEIVED TONIGHT, WE WILL HAVE A TRANSCRIPT.  
7   THEY WILL BE CAREFULLY CONSIDERED AND INCLUDED AS WE  
8   DEVELOP THE SCOPE FOR THIS DRAFT D.I.S./D.I.R.

9                   JUST TO REITERATE, YOU HAVE UNTIL  
10  SEPTEMBER 5TH TO PROVIDE WRITTEN COMMENTS TO EITHER THE  
11  CORPS OR THE CALIFORNIA DEPARTMENT OF FISH AND GAME.

12                  AS WE ALLUDED IN OUR PRESENTATION, IT'S  
13  ANTICIPATED THAT THE DRAFT D.I.S./D.I.R. WILL BE  
14  AVAILABLE FOR PUBLIC COMMENT PROBABLY SOMETIME IN EARLY  
15  2006, SO IN FOUR OR FIVE MONTHS.

16                  AT THAT TIME, THERE WILL BE A 60-DAY  
17  COMMENT PERIOD. WE WILL BE HAVING ANOTHER PUBLIC  
18  HEARING WITH A COURT REPORTER FOR YOU TO PROVIDE INPUT  
19  TO US ON THE ACTUAL ENVIRONMENTAL ANALYSIS CONTAINED IN  
20  THAT DOCUMENT.

21                  WITH THAT, I WOULD LIKE TO THANK YOU ALL  
22  FOR COMING, AND HAVE A GOOD EVENING. THANK YOU.

23                  (WHEREUPON, THE PROCEEDINGS WERE  
24  CONCLUDED.)

25

KARYN ABBOTT & ASSOCIATES (213) 749-1234

1 HEARING REPORTER'S CERTIFICATE

2

3 I, KATHLEEN KENDALL, A SHORTHAND HEARING  
4 REPORTER, IN AND FOR THE STATE OF CALIFORNIA, DO HEREBY  
5 CERTIFY:

6 THAT THE FOREGOING PROCEEDINGS WERE TAKEN  
7 BEFORE ME ON AUGUST 24, 2004, AT THE PLACE HEREIN SET  
8 FORTH; THAT ANY WITNESSES IN THE FOREGOING PROCEEDINGS,  
9 PRIOR TO TESTIFYING, WERE PLACED UNDER OATH; THAT A  
10 VERBATIM RECORD OF THE PROCEEDINGS WAS MADE BY ME USING  
11 MACHINE SHORTHAND, WHICH WAS THEREAFTER TRANSCRIBED  
12 UNDER MY DIRECTION; FURTHER, THAT THE FOREGOING IS AN  
13 ACCURATE TRANSCRIPTION THEREOF.

14 I FURTHER CERTIFY THAT I AM NEITHER FINANCIALLY  
15 INTERESTED IN THE ACTION NOR A RELATIVE OR EMPLOYEE OF  
16 ANY ATTORNEY OF ANY OF THE PARTIES.

17 IN WITNESS WHEREOF, I HAVE THIS DATE  
18 SUBSCRIBED MY NAME.

19

20 DATED: SEPTEMBER 1, 2005

21

22

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KATHLEEN KENDALL  
HEARING REPORTER

23

24

25

KARYN ABBOTT & ASSOCIATES (213) 749-1234





